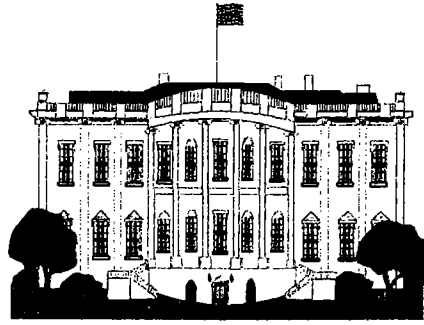




OFFICE OF NATIONAL DRUG CONTROL POLICY

BRIEFING BOOK

HEARING BEFORE THE
SENATE APPROPRIATIONS COMMITTEE

JUNE 1993

NOTE: MISSING FACT SHEETS (ETC) ARE IN HIGHLIGHTED TEXT

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A

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DRAFT: Schecter

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6/10/93

STATEMENT OF
DR. LEE P. BROWN
DIRECTOR
OFFICE OF NATIONAL DRUG CONTROL POLICY
BEFORE THE
THE SENATE SUBCOMMITTEE ON TREASURY, POSTAL SERVICE,
AND GENERAL GOVERNMENT

JUNE 16, 1993

Mr. Chairman, Senator Bond, and Members of the Subcommittee, I am delighted to have the opportunity to discuss with you today the President's Fiscal Year 1994 budget request for the Office of National Drug Control Policy and for drug control programs. This is my first Congressional testimony as a confirmed Director of Drug Control Policy, and it is an honor to appear before this Subcommittee, which has done so much to confront drug trafficking and drug use, both at home and abroad.

As you know, Mr. Chairman, the Clinton Administration has not yet sent forward its formal National Drug Control Strategy (although I can assure you we're hard at work on it). We do, however, have a clear understanding of the nature of the drug problem in America, and some pretty good ideas about what has worked and what has not in recent years. In its broad contours, the FY 1994 drug control budget reflects these ideas, as will the National Drug Control Strategy.

Assessing the Threat

Before I describe the major features of the budget, I would like to take a few moments to outline for you the drug threat as I see it, an assessment on which our budget proposals and our drug control strategy are based.

Drugs may not occupy the headlines of our newspapers as frequently as in the past, and they may no longer rank as the number one concern in public opinion polls. But you know as well as I, Mr. Chairman, that they're still very much with us, still causing untold misery, crime, and death. Recently released 1992 data -- supported by my own observations on the streets of some of our major cities -- confirm the continued increase in hard-core drug use, especially in our inner cities and among the disadvantaged. Many of these heavy drug users are addicted to cocaine, especially crack cocaine. And heroin, our old nemesis of previous decades, is showing signs of making a deadly comeback, fueled by bumper crops of opium poppies in Asia, the Middle East, and Latin America, and by the newly aggressive drug trafficking gangs seeking to develop and exploit new markets.

New data on drug-related medical emergencies give graphic evidence of these trends, especially in the alarming jump in medical emergencies involving heroin. Among young people too there is cause for real concern. The 1992 University of Michigan High School Senior Survey, released about a month ago, showed disturbing levels of the use of inhalants, marijuana, and LSD, especially among the youngest students in the survey, as well as a decrease in the number of eighth graders who regard cocaine use as harmful.

With respect to so-called "casual" drug use, the trend lines have been declining for several years. Indeed, since 1988, current

overall drug use decreased by 12 percent, current cocaine use by 35 percent, and current adolescent drug use by 27 percent, to its lowest point ever recorded since the survey was initiated in the mid-1970s.

Dimensions of the FY 1994 Budget

The President is seeking \$13.041 billion for drug control programs in FY 1994, an increase of \$830 million over the current year. This budget demonstrates how seriously the President views the threat posed by drug trafficking and drug use to our Nation. It states to all Americans and to our allies abroad that in the fight against drugs, this Administration intends to yield no ground. We will never surrender.

Along with increased funding, we are seeking to change the direction of Federal drug control programs. In light of the increasing concentration of the drug problem in hard core-drug using populations, we are targeting Federal funds on programs that will help these groups. We are putting new funding into programs that will help our towns and cities to put more police officers on our streets, and to employ highly effective community policing strategies. We are increasing the emphasis on demand reduction programs, particularly in drug treatment and in preventing drug use by our young people. And we are conducting a thoroughgoing review of our interdiction and international programs so as to put added

effort into those tactics that have worked, and abandon those that have failed to make a difference.

Increased Demand Reduction

Although the Administration is seeking more funds for both supply and demand reduction programs, we want to increase demand reduction programs by twice the rate of the increase in supply reduction (ten percent for demand compared to five percent for supply). In sum, we are seeking \$439 million in new demand reduction funding.

We believe that drug treatment works, that it is not only good drug policy, it is good crime policy, good urban policy, and good health policy. And we believe that every American with a serious drug problem should be able to access an effective treatment program, made available through a partnership of Federal, State, and local governments, the private sector, and third party providers. The Administration is seeking \$2.5 billion for drug treatment, including \$170 million in new funding, a 7 percent increase. These funds will be targeted more effectively in areas with the greatest concentration of hard core-drug users.

In addition, as I'm sure you know, the First Lady's Health Care Task Force is looking at including drug treatment in its comprehensive health care package. The Task Force assembled a

group of drug treatment professionals to develop options and make recommendations to the President on what drug treatment benefits should be considered in national health care legislation. [while ^{delete per OMB} this proposal has not been announced and is not included in this year's budget submission, it will be a central element of the President's drug and health care policy.]

But increased funding for drug treatment will accomplish little if we do not at the same time invest in drug education and prevention efforts. We are seeking \$1.8 billion for education and prevention programs, an increase of 16 percent, while pursuing our overall goals of better targeting and concentrating funding in programs of demonstrated effectiveness.

Support for Community Policing and Increased Police Presence

Also central to the President's drug policy is his initiative to put more police on the streets and to expand community policing. Community policing is a proven law enforcement strategy that helps to prevent drug trafficking and drug-related crime. But more important, it helps the residents of drug-infested communities to reclaim their parks, playgrounds, and streets, and to make them safe once again for our citizens, and especially for our children. Community policing not only reduces the availability of drugs, it also reduces the demand as well. As a downpayment on the President's pledge to put 100,000 more police on the streets and do

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per OMB

per OMB { dramatically expand community policing, we are seeking \$⁷⁵⁰~~500~~ million for community policing programs -- \$200 million in the modified 1993 Supplemental bill, \$⁵⁰⁰~~250~~ million over 2 years flowing from the requested authorizations in the President's empowerment zones legislation, and \$50 million in the Justice Department's ¹⁹⁹⁴ budget. ^{request}
(both 1993 and 1994)

Law Enforcement and Interdiction Programs

Let me state that as committed as this Administration is to expanding support for demand reduction programs, we do not believe such expansion should come at the expense of law enforcement and interdiction programs. A successful drug control strategy, in our view, is a comprehensive strategy that applies pressure to the drug problem at every point in the process. The President is requesting \$8.3 billion for supply reduction programs, an increase of \$392 million or five percent. We are proposing increases for the Bureau of Prisons (\$132 million, or 10 percent), the Judiciary (\$94 million, or 23 percent), and the Drug Enforcement Administration (\$18 million, or 2.3 percent).

You'll note, Mr. Chairman, that much of our increase in supply reduction programs is related to prosecuting and incarcerating drug offenders. These costs have skyrocketed in recent years with the adoption of mandatory minimum sentencing guidelines and the growth of the drug problem generally. I'm certain that you, a former prosecutor, and I, a former police chief, will agree that we should continue to treat drug trafficking and drug use as the crimes they

are. However, in making penalties more severe, we've inadvertently made punishment less certain while the cost of housing prisoners has soared. We need more certainty of punishment if we are going to deter crime -- particularly drug-related crime. We need to insure that every criminal receives some punishment for his crime - - no unrestricted probation, no revolving system of justice.

As a practical matter, given our resources, that means imposing non-traditional punishments on some of these offenders: assignments to work programs, to community service, and to boot camps.

The point is simply this: people should know that in this country, if you commit a crime, you will be punished -- our lack of prison space or resources is not going to allow you to get off. And to achieve this goal, we have to be far more creative -- at the State and local level -- in designing potential punishments, particularly for youthful offenders. I intend to work closely with the Attorney General on this issue, and I welcome the views of the Congress and especially the Members of this Subcommittee.

Interdiction Programs

The President's budget is seeking \$1.8 billion for programs to interdict drugs crossing our borders, an increase of one percent over the current year. Our approach here is to find ways to

increase the effectiveness of our interdiction efforts without adding major new funding. We are seeking increased funding for the Immigration and Naturalization Service (\$6.7 million, or 4.6 percent), the Coast Guard (\$40 million, or 9.6 percent), and the Department of Defense (\$17.9 million, or 2 percent).

International Programs

The Administration believes strongly that cooperative programs with the major drug producing and transshipment nations can play an important role in cutting the flow of drugs at their source. For FY 1994, we are requesting \$490 million for international programs.

delete per ONDCP ~~[a decrease of \$48 million, or 9 percent. As you know, Mr. Chairman, we have significant concerns about the effectiveness of some of our overseas operations, and the 1994 budget reflects these concerns. Moreover]~~

The Administration is in the midst of a policy review of those programs, and I intend to participate actively in that review. When the review is completed and the President decides how we will proceed, I may be back with additional proposals or modifications.

ONDCP Administration

As you know Mr. Chairman, the President is committed to reducing the White House Staff by 25 percent. He believes too -- as do I -- that ONDCP can reduce its personnel to help achieve

these cuts, and that it can perform its mission well at a reduced staffing level. In achieving these reductions, and in finding ways to make ONDCP a more efficient and more effective agency, I value your extensive experience in this area of legislation, and I pledge to work closely with you and this Subcommittee in revitalizing the Office of National Drug Control Policy. On this subject, let me also say that the President is committed to reauthorizing the Office when its enabling legislation sunsets this Fall. [I have read your own draft reauthorization legislation and, as I said in my confirmation hearing, I support ~~provisions~~^{the} to enhance^{ment of} the ~~authority and the~~ effectiveness of the office.] I look forward to working with you and your colleagues on reauthorization.

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Before closing, I would like to make a final observation on the budget. The FY 1994 budget was, of course, prepared well before my nomination, and I had no opportunity to participate in its formulation. I do, however, strongly endorse the budget in its goals and in its overall thrusts. I have not yet had the opportunity to review each and every aspect of the budget, ~~and am~~

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OMB

~~doing so at this time.~~ If I find areas in which improvements could be made, I will not hesitate to propose them ^{in the context of the development} ~~to the Congress and to~~ this Subcommittee] ~~delete per OMB.~~
stet per ONDCP

of the 1995 budget.
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delete per ONDCP

Finally, let me conclude on a personal note. During my more than thirty-year career in law enforcement I have seen up close what drugs can do, and have done, to our fellow citizens and our

communities, and I have been saddened by what I have seen. Saddened, Mr. Chairman, but not discouraged, because I also have seen extraordinary courage not only from law enforcement officers, but also from ordinary citizens who put their lives on the line to confront drugs and violence in their own neighborhoods. As the new Director of ONDCP, I want to make the Federal government a more effective, more stalwart partner with those brave citizens.

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B

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(continued on next page)

Dennis DeConcini (cont'd.)**COMMITTEE ASSIGNMENTS**

Committee	Subcommittee(s)
Appropriations	Treasury, Postal Service, and General Government, <i>Chairman</i> • Defense • Energy and Water Development • Foreign Operations • Interior and Related Agencies
Indian Affairs	No subcommittees
Judiciary	Patents, Copyrights and Trademarks, <i>Chairman</i> • Antitrust, Monopolies and Business Rights • Constitution
Rules and Administration	No subcommittees
Veterans' Affairs	No subcommittees
Intelligence (Select), <i>Chairman</i>	No subcommittees
Joint Library	No subcommittees
Joint Printing	No subcommittees

OTHER POSITIONS

Senate Democratic Steering Committee • Commission on Security and Cooperation in Europe, *Co-Chairman* • Environmental and Energy Study Conference • Western States Senate Coalition, *Co-Chairman* • Senate Steel Caucus • Senate Caucus on North American Trade • Senate Coal Caucus • Senate Drug Enforcement Caucus, *Chairman* • Senate Tourism Caucus • Senate Children's Caucus • Congressional Leaders United for a Balanced Budget (CLUBB) • Congressional Copper Caucus • Senate Anti-Terrorism Caucus • Congressional Coalition on Adoption • U.S. Senate Caucus on International Narcotics Control

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Committee	Subcommittee(s)
Appropriations	VA, HUD, and Independent Agencies, <i>Chairwoman</i> • Foreign Operations • Legislative Branch • Transportation and Related Agencies • Treasury, Postal Service, and General Government
Labor and Human Resources	Aging, <i>Chairman</i> • Children, Family, Drugs and Alcoholism • Education, Arts and Humanities • Employment and Productivity
Ethics (Select)	No subcommittees

OTHER POSITIONS

Democratic Senatorial Campaign Committee, Women's Council, *Chair* • Congressional Caucus for Women's Issues • Congressional Clearinghouse on the Future, Advisory Committee • Federal Government Service Task Force, Executive Board • Commission on Security and Cooperation in Europe • Congressional Populist Caucus • U.S. Naval Academy, Board of Visitors

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COMMITTEE ASSIGNMENTS

Committee	Subcommittee(s)
Agriculture, Nutrition, and Forestry	Agricultural Production and Stabilization of Prices • Agricultural Research, Conservation, Forestry and General Legislation • Nutrition and Investigations
Appropriations	Agriculture, Rural Development, and Related Agencies • Commerce, Justice, and State, the Judiciary, and Related Agencies • Energy and Water Development • Treasury, Postal Service, and General Government • VA, HUD, and Independent Agencies
Intelligence (Select)	No subcommittees

OTHER POSITIONS

Democratic Senatorial Campaign Committee

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Appropriations, <i>Chairman</i>	Interior and Related Agencies, <i>Chairman</i> • Defense • Energy and Water Development • Labor, Health and Human Services, Education, and Related Agencies • Transportation and Related Agencies • <i>Ex officio</i> member of all other subcommittees
Armed Services	Coalition Defense and Reinforcing Forces • Defense Technology, Acquisition, and Industrial Base • Force Requirements and Personnel
Rules and Administration	No subcommittees

OTHER POSITIONS

President Pro Tempore of the Senate • Senate Democratic Steering Committee • Commission on the Bicentennial of the U.S. Senate, *Chairman* • Senate Arms Control Observer Group, *Administrative Co-Chairman* • Senate Coal Caucus • Senate Footwear Caucus • Senate Steel Caucus • Commission on Art and Antiquities of the U.S. Senate

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COMMITTEE ASSIGNMENTS

Committee	Subcommittee(s)
Appropriations	Treasury, Postal Service, and General Government, <i>Ranking Minority Member</i> • Agriculture, Rural Development, and Related Agencies • Defense • Labor, Health and Human Services, Education, and Related Agencies • VA, HUD, and Independent Agencies
Banking, Housing, and Urban Affairs	Housing and Urban Affairs, <i>Ranking Minority Member</i> • International Finance and Monetary Policy • Securities
Budget	No subcommittees
Small Business	Government Contracting and Paperwork Reduction, <i>Ranking Minority Member</i> • Competitiveness, Capital Formation and Economic Opportunity

(continued on next page)

Christopher (Kit) Bond *(cont'd.)*

OTHER POSITIONS

Deputy Minority Whip • National Republican Senatorial Committee • Senate Republican Task Force on Health Care • Senate National Guard Caucus, *Co-Chairman* • Senate Rural Health Caucus • Senate Beef Caucus • Senate Steel Caucus • Congressional Soybean Caucus, Steering Committee • Congressional Infrastructure Caucus, *Co-Chairman*

STATE OFFICES

312 Monroe St., Jefferson City, MO 65101	(314) 634-2488
Suite 1050, 8000 Maryland, St. Louis, MO 63105	(314) 727-7773
Room 214, 339 Broadway, Cape Girardeau, MO 63701	(314) 334-7044
Room 911, 811 Grand Ave., Kansas City, MO 64106	(816) 374-2453
510 N.E. 291 Hwy., Lee's Summit, MO 64063	(816) 524-6141
Room 705, 1736 Sunshine, Springfield, MO 65804	(417) 881-7068

Alfonse M. D'Amato



R -New York
Reelection Year: 1998

Began Service: 1981

SH-520 Hart Senate
Office Building
Washington, DC
20510-3202

(202) 224-6542

FAX: (202) 224-5871

TDD: (202) 224-0420

BIOGRAPHICAL

Born: 8/1/37
Home: Island Park
Educ.: B.S./J.D.,
Syracuse U.
Prof.: Attorney
Rel.: Catholic

KEY STAFF AIDES

Name	Position	Legislative Responsibility
Michael T. Kinsella	Admin. Asst.	
Frank Coleman	Press Secy.	
Jolene Reis	Dep. Press Secy.	
Harvey T. Valentine	Dep. Press Secy.	
Claudia Breggia (224-8343)	Personnel Dir.	
Joseph R. Kolinski (224-4954)	Asst. Personnel Dir.	
Lecia Corbisiero	Exec. Asst./ Scheduling Dir.	
Philip Bechtel	Legis. Dir./Gen. Counsel	
Laura Unger	Legis. Counsel	Banking/Securities
Scott Amrhein	Legis. Asst.	Health, Veterans, Social Security/Medicare, Animal Welfare, Child Care, Communications, Education, NASA, Insur- ance
Morgan P. Hardiman	Legis. Asst.	International Narcotics Control Task Force; Crime, Death Penalty, Law Enforcement Agencies
Kevin Linskey	Legis. Asst.	Defense
Peter Phipps	Legis. Asst.	Administrative Law, Antitrust, Arts/ Humanities, Civil Rights, Federal Tort Reform, Freedom of Information Act, Gov- ernment Ethics, Judicial/Legal Policy, Immi- gration, Labor, Federal Employees, School Prayer
Pamela Ray- Strunk	Legis. Asst.	Budget/Taxes, Trade, Consumer Affairs, Grants, Housing, Transportation
Gregg Rickman	Legis. Asst.	Foreign Affairs
Teena Gray	Computer Systems Admin.	
Michael L. Giuliani	Pers. Secy.	
Tori Ann Kolinski	Admin. Secy.	

(continued on next page)

Alfonse M. D'Amato (cont'd.)**COMMITTEE ASSIGNMENTS**

Committee	Subcommittee(s)
Appropriations	Transportation and Related Agencies, <i>Ranking Minority Member</i> • Defense • Foreign Operations • Treasury, Postal Service, and General Government • VA, HUD, and Independent Agencies
Banking, Housing, and Urban Affairs, <i>Ranking Minority Member</i>	<i>Ex officio</i> member of all subcommittees
Intelligence (Select)	No subcommittees

OTHER POSITIONS

Senate Republican Policy Committee • Long Island Congressional Caucus • Northeast-Midwest Senate Coalition • Commission on Security and Cooperation in Europe • Senate Drug Enforcement Caucus, *Vice Chairman* • Senate Footwear Caucus • Senate Anti-Terrorism Caucus, *Co-Chairman* • U.S. Senate Caucus on International Narcotics Control, *Co-Chairman* • New York State Congressional Delegation, *Co-Chairman* • U.S. Military Academy, Board of Visitors

STATE OFFICES

Suite 600, 370 Seventh Ave., New York, NY 10001 (212) 947-7390
 420 Lee O'Brien Federal Office Bldg., Albany, NY 12207 (518) 472-4343
 1259 Federal Bldg., 100 So. Clinton St., Syracuse, NY 13261 (315) 423-5471
 304 Federal Bldg., 100 State St., Rochester, NY 14614 (716) 263-5866
 620 Federal Bldg., 111 W. Huron St., Buffalo, NY 14202 (716) 846-4111

Mark O. Hatfield



R - Oregon
Reelection Year: 1996

Began Service: 1967

SH-711 Hart Senate
Office Building
Washington, DC
20510-3701

(202) 224-3753

TDD: (202) 224-4898

BIOGRAPHICAL

Born: 7/12/22

Home: Portland

Educ.: B.A., Willamette

U.; M.A., Stanford U.

Prof.: Assoc. Prof. of
Political Science; Ore.

Secretary of State,
1957-59; Governor of
Ore., 1959-67

Rel.: Baptist

KEY STAFF AIDES

Name	Position	Legislative Responsibility
Steve Nousen	Admin. Asst.	
Ray Naff (503-588-9510)	State Dir.	
Bill Calder	Press Secy.	
Sue Hildick	Legis. Dir.	Rules Committee; Education, Medical Research
Julie McGregor	Internat'l. Pol. Dir.	Defense, Foreign Relations, International Trade, Arms Control
Scott Corwin	Legal Counsel/Legis. Asst.	Indian Affairs Committee; Banking/Finance, Budget/Taxes, Judiciary
Mark Landauer	Legis. Asst.	Governmental Affairs, Veterans, Housing, Postal Service, Labor/Federal Employees, Aging
Karen Mattson	Legis. Asst.	Human Rights, Refugees, Immigration, Health
Doug Pahl	Legis. Asst.	Transportation, Communications, Ports, Agriculture, Small Business, Science, Fisheries, Commerce, Environment
Dave Robertson	Legis. Asst.	Energy/Natural Resources/Wildlife/Public Lands, Arts, Religion
Dave Bauer	Staff Asst.	Joint Printing and Joint Library Committees
Brenda Hart	Pers. Secy. (Appts.)	

COMMITTEE ASSIGNMENTS

Committee	Subcommittee(s)
Appropriations, <i>Ranking Minority Member</i>	Energy and Water Development, <i>Ranking Minority Member</i> • Commerce, Justice, and State, the Judiciary, and Related Agencies • Interior and Related Agencies • Labor, Health and Human Services, Education, and Related Agencies • Transportation and Related Agencies • <i>Ex officio</i> member of all other subcommittees
Energy and Natural Resources	Public Lands, National Parks and Forests • Renewable Energy, Energy Efficiency, and Competitiveness • Water and Power
Indian Affairs	No subcommittees
Rules and Administration	No subcommittees
Joint Library	No subcommittees
Joint Printing	No subcommittees

OTHER POSITIONS

Senate Republican Policy Committee • Commission on the Bicentennial of the U.S. Senate • Arms Control and Foreign Policy Caucus, Steering Committee • Concerned Senators for the Arts • Senate Republican Task Force on Health Care • Senate Rural Health Caucus • Western States Senate Coalition • Senate National Guard Caucus • The Congressional Fire Services Caucus • F.D.R. Memorial Commission, *Co-Chairman* • U.S. Naval Academy, Board of Visitors • Commission on the Bicentennial of the U.S. Constitution • John F. Kennedy Center, Board of Trustees • Commission on the Preservation of the U.S. Capitol

STATE OFFICES

Suite 305, 727 Center St., S.E., Salem, OR 97301 (503) 588-9510
Suite 1420, One World Trade Center, 121 S.W. Salmon, Portland, OR 97204. . (503) 326-3386

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OFFICE OF NATIONAL DRUG CONTROL POLICY
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FACT SHEET -- ONDCP PERSONNEL STATISTICS

Staffing - Full-time Equivalents

	<u>FY 92 Actual</u>	<u>FY 93 Auth.</u>	<u>FY 94 Request</u>
FTE	112	112	25
Current estimate of FY 1993 FTE Usage: (as of 05/31/93)		84	

Staffing - Full-time Positions

Personnel on-board prior to Inauguration.....	117
Number of political appointees released.....	48
Personnel on-board at time reorganization was announced (2/9/93).....	74
Number of employees who have departed since reorganization was announced.....	15
Number of employees remaining to be placed.....	54

Staffing - Historical FTE Information

	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>	<u>FY 94</u>
Authorized FTE	96	106	115	130	112	25
FTE Usage	25	88	96	112	84*	25

* Estimate as of 05/31/93

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

FACT SHEET -- ONDCP PERSONNEL STATISTICS

Staffing - Historical Manning Information

Employee Type	End of FY 89	End of FY 90	End of Bennett Tenure - 12/01/90	Begin of Martinez Tenure - 03/20/91	End of FY 91	End of FY 92	Current
Career	36	37	36	44	46	50	46
Schedule C	41	42	37	41	43	53*	2
Schedule A	2	8	10	14	14	13	11
Permanent	<u>79</u>	<u>87</u>	<u>83</u>	<u>99</u>	<u>103</u>	<u>116</u>	<u>59</u>
Detailee	36	42	40	40	36	20	14
Total Manning	<u>115</u>	<u>129</u>	<u>123</u>	<u>139</u>	<u>139</u>	<u>136</u>	<u>73</u>

* Includes 4 staff for Weed and Seed program; 3 staff for Commission on Model State Drug Laws

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

FACT SHEET -- ONDCP PERSONNEL STATISTICS

Current Staffing vs. Historical Position Allocations

<u>ONDCP Component</u>	<u>Allocation at 130 FTE</u>	<u>Allocation at 112 FTE</u>	<u>Current Positions Filled</u>
Director's Office	11	7	1
Chief of Staff	3	3	0
Executive Secretariat	5	3	0
Public Affairs	4	3	0
Cong. Relations	7	6	0
General Counsel	4	3	0
OPBA			
Director	3	3	3
Planning Staff	8	7	6
Budget Staff	10	8	1
Admin. Staff	12	14	10
Demand Reduction	16	19	12
Supply Reduction	24	21	13
State & Local Affairs	18	19	6
CTAC	5	5	4
CMR	6	0	3
PDAC	7	0	0
	<u>143</u>	<u>121</u>	<u>59</u>

- o Historical lags in hiring that inevitably occur when employees depart have allowed us to overallocate positions to levels above our FTE ceiling. Consequently, we have maintained a position allocation level of 10% above our FTE ceiling.

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

FACT SHEET -- ONDCP PERSONNEL STATISTICS

Staffing - Salary Information
(as of 5/31/93)

Average GS grade.....	GS-13/1
Average GS salary.....	\$ 47,978
Average SES grade.....	SES-3.1
Average SES salary.....	\$102,275

Staffing - Minority Statistics
(as of 5/31/93)

Male	55 %
Female	45 %
Total	<u>100 %</u>
White	80 %
Black	18 %
Hispanic	0 %
Asian	2 %
	<u>100 %</u>

Staffing - Detailees
(as of 5/31/93)

Non-reimbursable	13
Reimbursable	1
Total	<u>14</u>

Detailees by ONDCP Component

	<u>Number</u>	<u>Per Cent</u>
Supply Reduction	11	79%
Demand Reduction	1	7
Counter-drug Technology Center	1	7
Public Affairs	1*	7
Total Detailees	<u>14</u>	<u>100%</u>

* reimbursable

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

FACT SHEET -- ONDCP PERSONNEL STATISTICS

<u>Detailees by Contributing Agency</u>	<u>Number</u>	<u>Per Cent</u>
DoD	6	44%
Treasury		
Customs	2	
Total Treasury	<u>2</u>	14
HHS		
NIDA	1	
Total HHS	<u>1</u>	7
Justice		
INS	1	
Total Justice	<u>1</u>	7
CIA	1	7
State		
USIA	1	
USIA - reimbursable	1	
Total State	<u>2</u>	14
Transportation (Coast Guard)	1	7
Total Detailees	<u>14</u>	<u>100%</u>

* reimbursable

Detailees - From ONDCP (as of 5/31/93)

None

Staffing - Consultants

ONDCP..... 0

Commission on Model State Drug Laws.....11

ADMIN - 1
06/07/93

OFFICE OF NATIONAL DRUG CONTROL POLICY

ONDCP REORGANIZATION

QUESTION

Have you determined the make-up of ONDCP's staff under the reorganization announced by the President in February, 1993?

ANSWER

- o The exact make-up of ONDCP's staff after the reorganization has been completed has not yet been determined.
- o The White House has expressed their intention to have the reorganization completed by October 1, 1993. Upon confirmation of a new ONDCP Director, a review of current ONDCP positions will occur, and a revised staffing plan will be developed.

OFFICE OF NATIONAL DRUG CONTROL POLICY

ONDCP REORGANIZATION

QUESTION

How will ONDCP's current employees be affected by the reorganization?

ANSWER

- o ONDCP currently has 59 full-time employees on-board. The reorganization plan calls for an ONDCP staffing plan of 25 full-time positions. The exact make-up of these 25 positions has not yet been determined.
- o The White House has expressed their intention to have the reorganization completed by October 1, 1993. Upon the confirmation of a new ONDCP Director, a review of current ONDCP positions will occur, and a revised staffing plan will be developed.
- o It is anticipated that most, if not all, of the 59 current employees will not be included in the revised staffing plan of ONDCP.
- o Outplacement efforts are underway in conjunction with the White House and the Office of Personnel Management. However, the possibility of a Reduction-In-Force (RIF), to be completed by September 30, 1993, certainly exists.

OFFICE OF NATIONAL DRUG CONTROL POLICY

ONDCP REORGANIZATION

QUESTION

How will ONDCP meet its legislatively-mandated responsibilities with a full-time staff of 25?

ANSWER

- o Once on-board, the new Director will conduct a review of these responsibilities and any appropriate changes to the law will be submitted by the Administration.

OFFICE OF NATIONAL DRUG CONTROL POLICY

ONDCP REORGANIZATION

QUESTION

**How many career staffers still remain on the payroll at ONDCP?
How much will the cost of a Reduction-In-Force (RIF) be?**

ANSWER

- o There are currently 59 full-time employees at ONDCP. Of these 59 employees, 46 are career employees, 11 are Schedule A employees, and two are Schedule C employees.
- o At this staffing level, the potential financial liability for a RIF totals \$1,411,530. Of this amount, \$935,844 would be used for severance pay, while \$475,686 would be used for lump-sum annual leave payouts.

OFFICE OF NATIONAL DRUG CONTROL POLICY
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DETAILEES

QUESTION

Under what authority are you maintaining non-reimbursable detailees on your rolls?

ANSWER

- o The Federal Personnel Manual #300-31 gives authority for non-reimbursable interagency details when the detail involves a matter related to the loaning agency's appropriation and will aid the home agency in accomplishing the purpose for which the appropriations are provided.
- o Because of the interagency nature of ONDCP's mission, both ONDCP and the home agency benefit from the particular experience and expertise contributed by these individuals detailed from drug-control agencies.

OFFICE OF NATIONAL DRUG CONTROL POLICY

TRAVEL

QUESTION

How much travel does your office perform each year? What is the cost and purpose of this travel?

ANSWER

- o We expect to spend approximately \$190,000 in travel this year. This is approximately \$300,000 less than the amount spent in Fiscal Year 1992. The reduction is due to the reorganization of ONDCP announced by the President in February, 1993. Our request in Fiscal Year 1994 for travel totals \$133,000.
- o These funds will cover full-year cost of travel for a full complement of ONDCP staff and invitational travel for consultation. The total decreases in Fiscal Year 1994 due to ONDCP's reduced staffing level.
- o Much of our travel involves visiting drug-related programs such as treatment centers, local prevention programs, and Federal, State, and local law enforcement operations. In addition, anti-drug programs must be monitored, especially those in the HIDTAs. We also travel throughout the United States to obtain information from and consult with Federal, State, and local drug policy leaders on a variety of drug policy issues.

OFFICE OF NATIONAL DRUG CONTROL POLICY

POLITICAL TRAVEL

QUESTION

How does ONDCP distinguish between political and official? Who pays for political travel?

ANSWER

- o ONDCP follows long-standing White House policy in this area. Expenditures for political travel are paid directly by the sponsoring political organization, such as the DNC.
- o Trips which mix political and official travel are pro-rated based on established formulas endorsed by GAO. ONDCP encourages the sponsoring political organization to pay for the political portion of these trips directly; if this is not possible, the sponsoring organization reimburses ONDCP after the actual expenses have been calculated.
- o Whether the travel is official, political, or mixed, the Director may require the accompaniment of principal deputies or assistants. The cost of travel for these officials is paid out of appropriated funds.

OFFICE OF NATIONAL DRUG CONTROL POLICY

FUNDS APPROPRIATED TO THE PRESIDENT

QUESTION

Why were the HIDTA and Special Forfeiture Fund appropriations moved to "Funds Appropriated to the President"?

ANSWER

- o These funds were moved by the Office of Management and Budget (OMB) in an effort to simplify ONDCP's direct appropriation so that it only includes funds necessary for the operation of ONDCP.
- o ONDCP will continue to maintain programmatic control and responsibility for the HIDTA and Special Forfeiture Fund programs.

OFFICE OF NATIONAL DRUG CONTROL POLICY

FY 1993 RESCISSION OF FUNDS

QUESTION

Is ONDCP proposing a rescission of funds for FY 1993? How much will the rescission be? From where do the savings result?

ANSWER

- o The President's budget reflects a rescission of funds totalling \$4,087,000 in Fiscal Year 1993. This rescission results from the reorganization and downsizing of ONDCP announced by the President in February, 1993.
- o The savings result from across-the-board reductions made to ONDCP's operating budget:

<u>Object Class</u>	<u>Pre-rescission Operating Budget</u>	<u>Post-rescission Operating Budget</u>	<u>Savings</u>
Personnel and Benefits	\$ 8,010,000	\$ 6,321,000	\$1,689,000
Travel	613,000	190,000	423,000
Representation Fund	8,000	8,000	0
Transportation of Things	38,000	24,000	14,000
Building Rent	1,924,000	1,860,000	64,000
Rent, Comm. and Utilities	214,000	201,000	13,000
Printing	250,000	183,000	67,000
Other Services	5,841,000	4,243,000	1,598,000
Supplies	200,000	100,000	100,000
Equipment	250,000	131,000	119,000
Total	<u>\$17,348,000</u>	<u>\$13,261,000</u>	<u>\$4,087,000</u>

- o At this date, the rescission has been removed from consideration by the House in deliberations on the overall FY 1993 Supplemental Appropriation bill. The Senate could restore the rescission to the Supplemental bill.

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

SELECTED ONDCP OBJECT CLASSES

	<u>FY 92</u> <u>Auth.</u>	<u>FY 92</u> <u>Actual</u>	<u>FY 93</u> <u>Auth.</u>	<u>FY 94</u> <u>Request</u>
REPRESENTATION FUND	\$8,000	\$6,257	\$8,000	\$8,000
FY 1993 Expenses (as of 5/31/93):			\$ 497	

	<u>FY 92</u> <u>Auth.</u>	<u>FY 92</u> <u>Actual</u>	<u>FY 93</u> <u>Auth.</u>	<u>FY 94</u> <u>Request</u>
TRAVEL	\$613,000	\$497,000	\$613,000	\$133,000
Reduction as a result of FY 1993 S&E Rescission			(423,000)	
FY 1993 Revised Operating Budget			\$190,000	
FY 1993 Expenses (as of 5/31/93):			\$106,120	

	<u>FY 92</u> <u>Actual</u>	<u>FY 93</u> <u>Antic.</u>	<u>FY 94</u> <u>Request</u>
BUILDING SECURITY			
Federal Protective Service (FPS)	\$102,514	\$ 0	\$ 0
Am-Pro	399,326	\$490,314	\$ TBD
Total	\$501,840	\$490,314	\$ TBD

In FY 1992, GSA's FPS provided
service from 10/1/91 - 11/30/91

	<u>FY 92</u> <u>Actual</u>	<u>FY 93</u> <u>Antic.</u>	<u>FY 94</u> <u>Request</u>
DIRECTOR'S PERSONAL SECURITY			
U.S. Marshals	\$961,682	\$386,713*	\$ 0

* Includes \$250,000 in anticipated expenses associated with
resumed protection from June through September

ADMIN - 20
06/07/93

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

BONUSES

QUESTION

How many and how much in bonuses and incentive awards have been awarded by ONDCP to employees since Election Day? How many and how much to political appointees?

ANSWER

- o Fiscal Year 1993 funds have been used to make performance and special achievement awards to ONDCP employees. The distribution of these awards is listed below:

<u>Award Type</u>	<u>Number of Awards</u>	<u>\$ Total</u>
1992 non-SES Performance	77	\$129,516
1992 SES Performance	4	\$ 20,240
1993 Special Achievement	11	\$ 14,300
Total	<u>92</u>	<u>\$164,056</u>

- o 1992 non-SES and SES Performance awards are performance-based awards to which the employees are entitled under ONDCP's Performance Appraisal System, in accordance with Federal statutes and OPM regulations, for long-term work that is rated superior or higher by the employee's supervisor against multiple criteria on the performance.
- o 1993 Special Achievement awards were awarded to employees as a result of extraordinary individual or group efforts.
- o Of the 11 Special Achievement Awards made in Fiscal Year 1993, 9 have occurred since Election Day. The distribution of these 9 awards is listed below:

<u>Employee Type</u>	<u>Number of Awards</u>	<u>\$ Total</u>
Schedule C (political)	4	\$ 4,800
Career	3	\$ 4,500
Schedule A	1	\$ 1,500
Detailee	1	\$ 1,500
Totals	<u>9</u>	<u>\$12,300</u>

- o The amount of Special Achievement Awards was limited to a maximum of 31% (October 1 - January 20) of prior-year payouts.

OFFICE OF NATIONAL DRUG CONTROL POLICY

GIFT FUND

QUESTION

Your appropriation authorizes you to accept, hold, administer, and utilize gifts for the purpose of aiding or facilitating the work of the Office. What is your current estimate of the level of funding you expect to receive under this authority in Fiscal Year 1993? 1994? How will these funds be used?

ANSWER

- o While it is difficult to predict the level of funds we will receive, we expect to receive approximately \$152,000 in Fiscal Year 1993. We do not anticipate receiving any additional gifts in Fiscal Year 1994.
- o To the extent required, these funds have been used to support the prior-year activities of the President's Drug Advisory Council (PDAC). The Council's authorization expires in November, 1993, by Executive Order.

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

GIFTS AND DONATIONS

Summary of Receipts

	<u>PDAC</u>	<u>ONDCP</u>	<u>Total</u>
FY 1990	\$ 225,000	\$ 4,303	\$ 229,303
FY 1991	\$ 486,000	\$ 0	\$ 486,000
FY 1992	\$ 311,779	\$ 0	\$ 311,779
FY 1993	\$ 36,653	\$ 0	\$ 36,653
Total	<u>\$1,059,432</u>	<u>\$ 4,303</u>	<u>\$1,063,735</u>

Summary of Utilization

FY 1990	\$ 201,610	(PDAC Operations)
FY 1991	\$ 308,591*	(PDAC Operations - partial)
FY 1992	\$ 509,781**	(PDAC Operations - partial)
FY 1993	\$ 36,653***	(PDAC Operations - partial)
Total	<u>\$1,056,635</u>	

* Total PDAC operations for FY 1991 totalled \$508,591.

** Total PDAC operations for FY 1992 totalled \$572,942.

*** Total PDAC operations for FY 1993 are estimated to total \$152,000.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SPECIAL PRIVILEGES/PERKS

QUESTION

What special privileges are provided to ONDCP? What charges, if any, are associated with these services?

ANSWER

- o Once confirmed, it is anticipated that the Director, ONDCP will be on the access list for White House limousine service.
- o We are considering the need for personal protection, in which case official transportation would be provided as part of his comprehensive personal security package provided by the U.S. Marshals Service, as authorized by 28 USC 566 (e) (1). The Director does not receive Secret Service protection.
- o The Director's suite has a small kitchenette and private bathroom. These facilities are significantly smaller than is typical in most Cabinet-level agencies. The Director does not have a chef or a dining room.
- o Six official-use parking spaces are available to senior ONDCP officials and are paid from appropriated funds. Ten other parking spaces (at \$120 per month) are available to ONDCP staff on a reimbursable basis.
- o ONDCP staff have access to the health facility located in the New Executive Office Building. This facility is an emergency care facility, similar to other health units in Federal and commercial office buildings, or in public schools. The facility is staffed by a full-time nurse, with a physician available on call. Cost to ONDCP is \$75 per employee per year (\$8,400 in FY 1993), provided as a reimbursement to the Department of Health and Human Services.
- o ONDCP staff are eligible to join the fitness facility located in the New Executive Office Building. This facility includes free weights, Nautilus and Universal equipment, stationary bicycles, rowing machines, aerobics classes, and shower facilities. The initial fee is \$40 per person, followed by a monthly fee of \$20 per person. Membership in the facility is voluntary. The cost of space for the facility is pro-rated among all EOP agencies. In the past, ONDCP has assisted with the acquisition of equipment (stationary bicycles) for the facility.

OFFICE OF NATIONAL DRUG CONTROL POLICY

PROGRAM EVALUATIONS

QUESTION

ONDCP is required to conduct program evaluations to determine whether Federal funds are put to best use. What role will program evaluation play under your leadership? How will you conduct such evaluations with only 25 staff?

ANSWER

- o As you know, the administration has made the decision to reduce ONDCP staff from 146 FTE to 25 FTE by the end of FY 1993. However, the required functions of the office have not been correspondingly reduced.
- o To be fully effective, ONDCP must have a mechanism for identifying and gathering available outcome measures, information, and research data and using them in a variety of analyses in support of policy formulation and to assist in budget decisions. I consider program evaluation to be a key element in this research and analysis effort.
- o I intend to ask all drug control Departments and agencies to continue with existing efforts to conduct program evaluations. I will ask them to report to me, on a regular basis, so I can inform the President of our overall progress.
- o In addition, the functions performed under the existing ONDCP research contract will help to ensure that the critical information to inform the strategic process is available to policy makers in a timely and proper manner.
- o ONDCP's research contract functions to provide the best possible information and evaluation schema, one that is available for use at all times during the strategic planning and budgetary processes. The object is to obtain both short-term work products and more in-depth analyses that will inform and support ONDCP in developing the National Drug Control Strategy and measuring its overall effect.

OFFICE OF NATIONAL DRUG CONTROL POLICY
--

PRESIDENT'S DRUG ADVISORY COUNCIL (PDAC)

QUESTION

What is the status of PDAC? Should it be continued?

ANSWER

- o The President's Drug Advisory Council (PDAC), established by Executive Order in November, 1989, is comprised of 30 private citizens and tasked with assisting ONDCP in the development, dissemination, explanation, and promotion of National Drug Control Policy.
- o In November, 1992, PDAC's permanent staff was absorbed into ONDCP. The Council has been inactive since then. PDAC's authorization expires in November, 1993.
- o The Director of ONDCP should have the benefit of the advice of distinguished Americans to assist in the development, dissemination, explanation, and promotion of National Drug Control Policy. The appropriate vehicle and format will be reviewed and determined later this summer.

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OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - SENATOR DeCONCINI'S REAUTHORIZATION PROPOSAL

- o With regard to the budget certification process, agencies and Departments budget submissions to OMB shall include funding requests for "specific initiatives that are consistent with the President's priorities for the National Drug Control Strategy."
- o The bill allows for placing "department or agency personnel who are engaged in drug control activities on temporary detail to another department or agency in order to implement the National Drug Control Strategy, and the head of the department or agency shall comply with such a request."
- o When not limited by specific appropriations language, the Director will have the authority to transfer up to 2% of funds from one National Drug Control Program agency account to another, after receiving the approval of the Committee on Appropriations of each House of Congress.
- o The Director has the authority to issue a funds control notice that may direct that all or part of an amount appropriated to the agency by obligated by a specific date, or particular activity, function, project, or object class.
- o The proposed legislation limits the number of political appointees to not more than 10 percent of the members of the officers and employees of ONDCP. Additionally, no Federal officer may use his official authority or influence for partisan political purposes.
- o With regard to the Special Forfeiture Fund, the Attorney General and the Secretary of Treasury shall, on October 1, estimate (with the concurrence of the Director) the excess unobligated balance anticipated and transfer to the SFF provided that the aggregate amount of such transfers during a fiscal year does not exceed \$150 million.
- o Any unobligated balance, up to \$20 million in the Super Surplus account, shall be available to the Director to transfer to, and for obligation and expenditure in connection with drug control activities in accord with the National Drug Control Strategy.
- o The legislation requires each Federal Government program manager, agency head, or department head with responsibilities under the National Drug Control Strategy shall provide such

OFFICE OF NATIONAL DRUG CONTROL POLICY

information for purposes of drug control as the Director may request. Additionally, data collection systems deemed essential for drug control purposes may be required and requested by the Director.

- o The Director shall be a member of the President's Cabinet.

103D CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. DECONCINI introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To enhance the authorities and responsibilities of the Office of National Drug Control Policy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NATIONAL DRUG CONTROL PROGRAM BUDGET.**

4 Section 1003(e) of the National Narcotics Leadership
5 Act of 1988 (21 U.S.C. 1502 et seq.) is amended—

6 (1) by redesignating paragraphs (5), (6), and
7 (7), as paragraphs (6), (7), and (8), respectively;
8 and

9 (2) by inserting after paragraph (4) the follow-
10 ing new paragraph:



1 “(5) The Director shall request the head of a depart-
2 ment or agency to include in the department or agency's
3 budget submission to the Office of Management and
4 Budget funding requests for specific initiatives that are
5 consistent with the President's priorities for the National
6 Drug Control Strategy and certifications made pursuant
7 to paragraph (3), and the head of the department or agen-
8 cy shall comply with such a request.”.

9 **SEC. 2. CONTROL OF DRUG-RELATED RESOURCES.**

10 Section 1003 of the National Narcotics Leadership
11 Act of 1988 (21 U.S.C. 1502) is amended—

12 (1) in subsection (d)—

13 (A) by amending paragraph (2) to read as
14 follows:

15 “(2) request the head of a department of agen-
16 cy to place department or agency personnel who are
17 engaged in drug control activities on temporary de-
18 tail to another department or agency in order to im-
19 plement the National Drug Control Strategy, and
20 the head of the department or agency shall comply
21 with such a request;

22 (B) by striking “and” at the end of para-
23 graph (6);

24 (C) by striking the period at the end of
25 paragraph (7) and inserting a semicolon; and



1 (D) by adding after paragraph (7) the fol-
2 lowing new paragraphs:

3 "(8) except to the extent that the Director's au-
4 thority under this paragraph is limited in an annual
5 appropriation Act by specific reference to this para-
6 graph, transfer funds appropriated to a National
7 Drug Control Program agency account to a different
8 National Drug Control Program agency account in
9 an amount that does not exceed 2 percent of the
10 amount appropriated to either account, after having
11 received the approval of the Committee on Appro-
12 priations of each House of Congress; and

13 "(9) in order to ensure compliance with the Na-
14 tional Drug Control Program, issue to the head of
15 a National Drug Control Program agency a funds
16 control notice described in subsection (f)."; and

17 (2) by adding at the end the following new sub-
18 sections:

19 "(f) FUNDS CONTROL NOTICES.—(1) A funds con-
20 trol notice may direct that all or part of an amount appro-
21 priated to the National Drug Control Program agency ac-
22 count be obligated by—

23 "(A) months, fiscal year quarters, or other time
24 periods; and

1 “(B) activities, functions, projects, or object
2 classes.

3 “(2) An officer or employee of a National Drug Con-
4 trol Program agency shall not make or authorize an ex-
5 penditure or obligation contrary to a funds control notice
6 issued by the Director.

7 “(3) In the case of a violation of paragraph (2) by
8 an officer or employee of a National Drug Control Pro-
9 gram agency, the head of the agency, upon the request
10 of and in consultation with the Director, may subject the
11 officer or employee to appropriate administrative dis-
12 cipline, including, when circumstances warrant, suspen-
13 sion from duty without pay or removal from office.

14 “(g) LIMIT ON NUMBER OF POLITICAL AP-
15 POINTEES.—Not more than 10 percent of the members
16 of the officers and employees of the Office of National
17 Drug Control Policy (including the Director, Deputy Di-
18 rectors, and Associate Directors) may be in positions that
19 are—

20 “(1) positions of a confidential or policy-deter-
21 mining character under Schedule C of subpart C of
22 part 213 of title 5, Code of Federal Regulations;

23 “(2) Senior Executive Service positions filled by
24 noncareer appointees; or

1 “(3) positions on the Executive Schedule under
2 subchapter II of chapter 53 of title 5, , United
3 States Code.

4 “(h) PROHIBITION ON POLITICAL CAMPAIGNING.—
5 No Federal officer in the Office of the National Drug Con-
6 trol Policy who is appointed by the President, by and with
7 the advice and consent of the Senate, may use his official
8 authority or influence for partisan political purposes.”.

9 **SEC. 3. SPECIAL FORFEITURE FUND AMENDMENTS.**

10 (a) ESTABLISHMENT OF FUND.—Section 6073 of the
11 Asset Forfeiture Amendments Act of 1988 (21 U.S.C.
12 1509) is amended—

13 (1) by amending subsection (b) to read as fol-
14 lows:

15 “(b) TRANSFERS FROM OTHER FUNDS.—

16 “(1) DEPARTMENT OF JUSTICE DEPOSITS.—(A)
17 On October 1 of each of fiscal years 1994, 1995,
18 1996, 1997, and 1998, the Attorney General shall
19 estimate, with the concurrence of the Director, the
20 excess unobligated balance anticipated as of Septem-
21 ber 30 in the Department of Justice Assets Forfeit-
22 ure Fund established under section 524(c) of title
23 28, United States Code. For fiscal year 1993, the
24 excess unobligated balance as of September 30 shall



1 be estimated within 15 days after the date of enact-
2 ment of this paragraph.

3 “(B) In each of fiscal years 1993, 1994, 1995,
4 1996, 1997, and 1998, the Attorney General shall
5 transfer to the Fund the excess unobligated balance
6 estimated under subparagraph (A). Such transfers
7 shall be made at the end of each quarter of a fiscal
8 year on a pro rata basis. In order to account for un-
9 anticipated fluctuations in the Department of Jus-
10 tice Assets Forfeiture Fund balance during a fiscal
11 year, the transfer at the end of the fourth quarter
12 of each fiscal year shall be adjusted by the Attorney
13 General, with the concurrence of the Director, so
14 that the transfer is equal to the actual remaining ex-
15 cess unobligated balance in the Department of Jus-
16 tice Assets Forfeiture Fund on September 30.
17 Transfers under this subparagraph shall be made
18 only to the extent that the aggregate amount of such
19 transfers during a fiscal year does not exceed
20 \$150,000,000.

21 “(2) DEPARTMENT OF THE TREASURY DEPOS-
22 ITS.—(A) On October 1 of each of fiscal years 1994,
23 1995, 1996, 1997, and 1998, the Secretary of the
24 Treasury shall estimate, with the concurrence of the
25 Director, the excess unobligated balance anticipated

1 as of September 30 in the Department of the Treas-
2 ury Forfeiture Fund established under section 9703
3 of title 31, United States Code. For fiscal year
4 1993, the excess unobligated balance as of Septem-
5 ber 30 shall be estimated within 15 days after the
6 date of enactment of this paragraph.

7 "(B) In each of fiscal years 1993, 1994, 1995,
8 1996, 1997, and 1998, the Secretary of the Treas-
9 ury shall transfer to the Fund the excess unobli-
10 gated balance estimated under subparagraph (A).
11 Such transfers shall be made at the end of each
12 quarter of a fiscal year on a pro rata basis. In order
13 to account for unanticipated fluctuations in the De-
14 partment of the Treasury Forfeiture Fund balance
15 during a fiscal year, the transfer at the end of the
16 fourth quarter of each fiscal year shall be adjusted
17 by the Secretary of the Treasury, with the concur-
18 rence of the Director, so that the transfer is equal
19 to the actual remaining excess unobligated balance
20 in the Department of the Treasury Forfeiture Fund
21 on September 30. Transfers under this subpara-
22 graph shall be made only to the extent that the ag-
23 gregate amount of such transfers during a fiscal
24 year does not exceed \$150,000,000.



1 (B) by redesignating subsections (c), (d), (e),
2 and (f), as subsections (e), (f), (g), and (h), respec-
3 tively; and

4 (3) by inserting after subsection (b) the follow-
5 ing new subsection:

6 “(c) SUPER SURPLUS.—(1) Any unobligated balance
7 up to \$20,000,000 remaining in the Fund on September
8 30 of a fiscal year shall be available to the Director, sub-
9 ject to appropriation and subject to paragraph (2), to
10 transfer to, and for obligation and expenditure in connec-
11 tion with drug control activities of, any Federal agency
12 or State or local entity with responsibilities under the Na-
13 tional Drug Control Strategy.

14 “(2) A transfer may be made under paragraph (1)
15 only with the advance written approval of the Committee
16 on Appropriations of each House of Congress.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) DEPARTMENT OF JUSTICE ASSETS FOR-
19 FEITURE FUND.—Section 524(c)(9) of title 28,
20 United States Code, is amended—

21 (A) by striking subparagraph (B) and in-
22 serting the following new paragraph:

23 “(B) The Attorney General shall make transfers from
24 the Fund to the Office of National Drug Control Policy’s
25 Special Forfeiture Fund in the manner provided in section



1 6073(b)(1) of the Asset Forfeiture Amendments Act of
2 1988 (21 U.S.C. 1509(b)(1)).";

3 (B) by striking subparagraph (C); and
4 (C) by redesignating subparagraphs (D)
5 and (E) as subparagraphs (C) and (D), respec-
6 tively.

7 (2) DEPARTMENT OF THE TREASURY FORFEIT-
8 URE FUND.—Section 9703(g) of title 31, United
9 States Code, is amended by striking paragraphs (3)
10 and (4) and inserting the following new paragraph:

11 "(3) The Secretary of the Treasury shall make
12 transfers from the Fund to the Office of National
13 Drug Control Policy's Special Forfeiture Fund in
14 the manner provided in section 6073(b)(2) of the
15 Asset Forfeiture Amendments Act of 1988 (21
16 U.S.C. 1509(b)(2)).".

17 **SEC. 4. COORDINATION WITH EXECUTIVE BRANCH AGEN-**
18 **CIES.**

19 Section 1004 of the National Narcotics Leadership
20 Act of 1988 (21 U.S.C. 1503) is amended—

21 (1) in subsection (a) by amending paragraph
22 (1) to read as follows:

23 "(1) Each Federal Government program manager,
24 agency head, or department head with responsibilities
25 under the National Drug Control Strategy shall provide

1 such information (including reports, memoranda, letters,
2 studies, surveys, and information maintained in data col-
3 lection systems) for purposes of drug control as the Direc-
4 tor may request. Information shall be transmitted timely
5 and in such manner and format as may be prescribed by
6 the Director.”;

7 (2) by redesignating subsections (b) and (c) as
8 subsections (c) and (d), respectively;

9 (3) by inserting after subsection (a) the follow-
10 ing new subsection:

11 “(b) NATIONAL DRUG CONTROL DATA COLLECTION
12 SYSTEMS.—(1) For each National Drug Control Program
13 agency, the Director may designate certain data collection
14 systems as being essential for drug control purposes.

15 “(2) The Director may require data collection sys-
16 tems designated under paragraph (1) to be modified in
17 accordance with standards established by the Director to
18 ensure appropriate scope and coverage of data collection.”;
19 and

20 (4) by striking subsection (c)(2) (as redesigned
21 by paragraph (2)) and inserting the following new
22 paragraph:

23 “(2) An officer or employee of a National Drug Con-
24 trol Program Agency shall not take any action to imple-
25 ment a change in the drug control policy of the agency

1 unless the policy change has been certified in advance by
2 the Director under paragraph (1) as being consistent with
3 the National Drug Control Strategy."

4 **SEC. 5. TERMINATION OF OFFICE OF NATIONAL DRUG CON-**
5 **TROL POLICY.**

6 Section 1009 of the National Narcotics Leadership
7 Act of 1988 (21 U.S.C. 1506) is amended by striking "the
8 date which is 5 years after the date of the enactment of
9 this subtitle" and inserting "September 30, 1998".

10 **SEC. 6. DIRECTOR AS A MEMBER OF THE CABINET.**

11 The Director of National Drug Control Policy shall
12 be a member of the President's Cabinet.

13 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 1011 of the National Narcotics Leadership
15 Act of 1988 (21 U.S.C. 1508) is amended by striking "4"
16 and inserting "9".

OFFICE OF NATIONAL DRUG CONTROL POLICY

ONDCP REAUTHORIZATION

QUESTION

**Will the Administration propose legislation reauthorizing ONDCP?
What new authorities will it contain?**

ANSWER

- o Yes, the Administration will submit legislation to reauthorize ONDCP.
- o ONDCP is authorized through the end of FY 1993. During the first session of the 103rd Congress, new legislation will need to be enacted to continue the mission of the Office. This legislation could be incorporated as a separate section in an omnibus crime bill.
- o In addition to authorizing appropriations for an additional term of years, the ONDCP legislation could expand some authorities of the Director to ensure better control over the President's drug program. Although ONDCP has been given much of the responsibility for the success or failure of the Administration's anti-drug efforts, the Office has very little statutory authority to control the activities of Federal drug agencies.
- o In the Administration's reauthorization bill, the Director will be given clear Cabinet status.

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OFFICE OF NATIONAL DRUG CONTROL POLICY

NATIONAL DRUG CONTROL STRATEGY: 1994

QUESTION

Was the 1994 National Drug Control Strategy published? If not, when do you intend to print a full Strategy?

ANSWER

- o To date, a National Drug Control Strategy has not yet been printed for Fiscal Year 1993.
- o A decision will be made on the timing and content of such a document in the near future.
- o An update to the first four Strategies, National Drug Control Strategy: Progress in the War on Drugs 1989-1992, was published in January, 1993.

OFFICE OF NATIONAL DRUG CONTROL POLICY

CLINTON DRUG STRATEGY

QUESTION

How will the Clinton drug Strategy differ from the Bush Strategy?

ANSWER

- o The fundamental principle of the Bush strategy was to reduce drug use through a combination of supply and demand policies and programs. The strategy recognized that neither approach alone could be successful without the support of the other. However, while the Bush strategy expanded funding for prevention and drug treatment services, it relied heavily upon interdiction, international, and law enforcement efforts. These supply reduction components consumed approximately 70 percent of the resources available to combat drug abuse.
- o While the Clinton strategy will continue to pursue a combination of supply and demand programs, his strategy will focus more heavily on street-based law enforcement, prevention and drug treatment efforts. The President's 1994 Budget includes a seven percent increase in Federal funding for domestic law enforcement and drug treatment programs, and a 16 percent increase for drug prevention programs. International and interdiction programs will be cut by one percent.
- o The \$13.0 billion 1994 National Drug Control Budget provides \$6.0 billion in Federal funding for domestic law enforcement, \$4.7 billion for treatment and prevention programs, and \$2.3 billion for international and interdiction programs. The added emphasis on demand reduction programs will change the 65/35 supply side/demand side funding ratio to 64/36.
- o The National Crime Strategy Mr. Clinton put forth during his campaign included the following broad-based, law enforcement, treatment, and prevention measures to reduce drug use:
 - Increasing the number of street-based police officers by 100,000.
 - Providing matching fund grants to communities "hardest hit" by crime to adopt measures like: community-based policing, drug treatment on demand, and drug education in schools.
 - Supporting efforts of public housing residents to organize to eliminate drugs and weapons from their neighborhoods.
 - Developing a Safe Schools Initiative, which will provide funding for security systems and personnel, and expand funding for school-based mentoring, counseling, and outreach.
 - Supporting the creation of boot camps for nonviolent first-

OFFICE OF NATIONAL DRUG CONTROL POLICY

time youth offenders to instill discipline, raise self-esteem, and teach decency and respect for the law.

OPBA-12
4/22/93

OFFICE OF NATIONAL DRUG CONTROL POLICY

STRATEGY INPUT BY STATE AND LOCAL CONSTITUENCIES

QUESTION

How do you plan to receive input from the State and local anti-drug communities in the development of Federal policies, such as the strategy?

ANSWER

- o Section 1005 of the Anti-Drug Abuse Act of 1988 requires the Director of the Office of National Drug Control Policy to seek advice from a broad range of sources -- in government and out.
- o In the past, ONDCP has hosted a series of regional meetings around the country involving drug experts from both the supply and demand arenas. We plan to continue those very valuable meetings, and explore additional ways to obtain public input for planning the Strategy.

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Federal Drug Control Spending by Function
FY 1991 – FY 1994
(\$ Millions)

	1991 Actual	1992 Actual	1993 Enacted	1994 President's Budget	FY93 – FY94 Change		FY89 – FY93 Change	
					\$	%	\$	%
Criminal Justice System	4,385.6	4,943.1	5,374.8	5,782.5	407.7	8%	\$2,613.4	95%
Drug Treatment	1,874.2	2,199.8	2,367.7	2,538.1	170.4	7%	1,221.4	107%
Education, Community Action, and the Workplace	1,479.2	1,538.7	1,524.4	1,789.9	265.5	17%	799.0	110%
International	633.4	660.4	538.0	489.3	(48.7)	-9%	234.0	77%
Interdiction	2,027.9	1,960.2	1,746.2	1,765.1	18.9	1%	305.5	21%
Research	450.1	504.5	530.9	548.2	17.2	3%	300.3	130%
Intelligence	104.1	98.6	128.7	127.4	(1.3)	-1%	75.3	141%
Total	10,954.5	11,905.2	12,210.8	13,040.6	829.8	7%	\$5,549.0	83%

Three Way Split

Domestic Law Enforcement	4,601.3	5,194.3	5,625.7	6,046.2	420.5	7%	\$2,786.2	98%
	42%	44%	46%	46%				
International/Interdiction	2,661.4	2,620.6	2,284.2	2,254.5	(29.7)	-1%	539.5	31%
	24%	22%	19%	17%				
Demand Reduction	3,691.8	4,090.3	4,300.9	4,739.9	\$439.0	10%	2,223.3	107%
	34%	34%	35%	36%				
Total	10,954.5	11,905.2	12,210.8	13,040.6	829.8	7%	\$5,549.0	83%

Supply/Demand Split

Supply	7,262.6	7,814.9	7,909.9	8,300.7	390.8	5%	\$3,325.7	73%
Demand	3,691.8	4,090.3	4,300.9	4,739.9	439.0	10%	2,223.3	107%
Total	10,954.5	11,905.2	12,210.8	13,040.6	829.8	7%	\$5,549.0	83%

Federal Drug Control Spending by Function
FY 1991 – FY 1994
(\$ Millions)

Demand Components

Prevention (w/ research)	1,629.7	1,696.2	1,688.9	1,955.6	266.7	16%	\$882.5	109%
Treatment (w/ research)	<u>2,062.1</u>	<u>2,394.2</u>	<u>2,612.0</u>	<u>2,784.3</u>	<u>172.3</u>	<u>7%</u>	<u>1,340.8</u>	<u>105%</u>
Total, Demand	3,691.8	4,090.3	4,300.9	4,739.9	439.0	10%	\$2,223.3	107%

* Re-pricings of President's request appear in these areas. The repricings are presented below:

1. Technical correction adds \$40m to DoD request (\$35m interdiction, \$5m prevention).
2. Assets Forfeiture Fund reduced by \$12m (domestic law enforcement) due to a revised estimate for permanent indefinite budget authority.
3. SAMHSA reorganization resulted in the following technical corrections:
Prevention -\$4m, Treatment +\$13m, Prevention R&D -\$19m, Treatment R&D +\$1m.
4. Weed & Seed reduced by \$10m (domestic law enf.) as a result of a technical correction.

FEDERAL DRUG CONTROL SPENDING
Agency Summary
(\$ Millions)

	FY 1991	FY 1992	FY 1993	FY 1994		
	Actual	Actual	Enacted	President's Budget	Change \$	Change %
Action	\$12.5	\$10.0	\$9.9	\$10.1	\$0.2	\$0.0
Agency for International Development	196.7	258.0	139.8	99.9	-39.9	-28.5%
Department of Agriculture						
Agricultural Research Service	6.4	6.5	6.5	6.5	0.0	0.0%
U.S. Forest Service	9.7	9.4	9.6	9.6	0.0	0.0%
Total, Agriculture	16.1	15.9	16.0	16.0	0.0	0.0%
Department of Defense	1,042.5	1,226.0	1,140.7	1,168.2	27.5	2.4%
Department of Education	683.3	714.7	700.4	708.8	8.4	1.2%
Dept. of Health and Human Services						
Administration for Children and Families	106.3	111.0	115.5	115.5	0.0	0.0%
Substance Abuse and Mental Health Administration & NIDA	1,531.1	1,620.1	1,707.3	1,825.2	117.9	6.9%
Centers for Disease Control	29.3	28.6	31.2	36.6	5.4	17.3%
Food and Drug Administration	6.5	6.7	6.8	6.8	0.0	0.0%
Health Care Financing Administration	190.8	201.8	231.8	261.2	29.4	12.7%
Indian Health Service	35.3	35.2	44.9	38.9	-6.0	-13.4%
Health Resources & Services Administration	13.2	16.5	20.9	39.5	18.6	89.1%
Total, HHS	1,912.4	2,020.0	2,158.5	2,323.8	165.3	7.7%
Dept. of Housing and Urban Dev.	150.0	165.0	175.0	265.0	90.0	51.4%
Department of the Interior						
Bureau of Indian Affairs	14.7	22.7	23.9	23.4	-0.5	-2.2%
Bureau of Land Management	6.9	8.9	10.0	5.2	-4.8	-47.9%
Fish & Wildlife Service	1.0	1.0	1.1	1.0	-0.1	-11.3%
National Park Service	11.3	11.1	9.1	9.2	0.0	0.4%
Office of Territorial and International Affairs	1.7	1.5	1.4	1.4	0.0	0.0%
Total, Interior	35.7	45.2	45.6	40.2	-5.4	-11.8%
The Judiciary	294.1	359.9	406.9	501.0	94.1	23.1%

FEDERAL DRUG CONTROL SPENDING
Agency Summary
(\$ Millions)

Department of Justice						
Assets Forfeiture Fund	421.1	412.0	498.3	469.8	-28.6	-5.7%
U.S. Attorneys	161.5	206.7	207.2	207.9	0.7	0.3%
Bureau of Prisons	1,027.5	1,254.5	1,334.0	1,466.3	132.3	9.9%
Criminal Division	18.5	20.2	19.2	20.4	1.2	6.0%
Drug Enforcement Administration	692.4	722.8	756.1	773.8	17.7	2.3%
Federal Bureau of Investigation	180.3	204.8	218.9	217.5	-1.4	-0.6%
Immigration and Naturalization Service	130.7	140.2	146.9	152.8	5.9	4.0%
Interpol	1.3	1.9	1.9	1.9	0.0	0.0%
U.S. Marshals Service	202.5	217.6	234.5	235.1	0.6	0.3%
Office of Justice Programs	535.7	543.1	541.3	541.9	0.5	0.1%
Organized Crime Drug Enforcement	334.5	390.5	385.2	384.4	-0.9	-0.2%
Support of U.S. Prisoners	135.1	164.1	190.6	253.4	62.8	33.0%
Tax Division	1.1	1.1	1.2	1.3	0.1	9.0%
Weed and Seed Program Fund		0.0	6.6	6.7	0.2	2.6%
Federal/State Partnerships				12.5	12.5	
Total, Justice	3,842.1	4,279.5	4,541.8	4,745.5	203.6	4.5%
Department of Labor						
	60.9	61.5	85.0	72.7	-12.3	-14.4%
Off. of National Drug Control Policy						
Operations	17.3	18.7	17.5	5.8	-11.7	-66.9%
High Intensity Drug Trafficking Areas	82.0	86.0	86.0	86.0	0.0	0.0%
Special Forfeiture Fund	6.0	20.0	15.0	28.0	13.0	86.7%
Total ONDCP	105.3	124.3	114.6	119.8	5.2	4.6%
Small Business Administration						
	0.1	0.1	0.2	0.2	0.0	0.0%
Department of State						
Bureau of International Narcotics Matters	150.0	144.8	147.8	147.8	0.0	0.0%
Bureau of Politico/Military Affairs	107.6	75.3	52.3	38.7	-13.6	-26.1%
Emer. in the Dip. and Consular Service	0.0	0.0	0.3	0.3	0.0	0.0%
Total, State	257.6	220.1	200.4	186.8	-13.6	-6.8%
Department of Transportation						
U.S. Coast Guard	718.6	436.4	420.1	460.7	40.5	9.6%
Federal Aviation Administration	23.8	23.1	21.8	20.1	-1.8	-8.2%
National Highway Traffic Safety Administration	7.2	8.4	7.7	9.3	1.6	20.5%
Total, Transportation	749.6	467.9	449.6	490.0	40.3	9.0%

FEDERAL DRUG CONTROL SPENDING
Agency Summary
(\$ Millions)

Department of the Treasury						
Bureau of Alcohol, Tobacco, and Firearms	123.2	135.9	152.4	147.3	-5.1	-3.3%
U.S. Customs Service	674.1	784.7	572.1	526.1	-46.0	-8.0%
Federal Law Enforcement Training Center	20.8	16.8	21.9	18.3	-3.6	-16.6%
Financial Crimes Enforcement Network	12.8	14.1	16.9	14.6	-2.3	-13.5%
Internal Revenue Service	93.2	102.8	115.5	112.9	-2.6	-2.2%
U.S. Secret Service	53.6	42.9	54.2	57.9	3.7	6.8%
Treasury Forfeiture Fund	0.0	0.0	191.6	208.8	16.9	8.8%
Total, Treasury	977.6	1,097.3	1,124.6	1,085.6	-39.0	-3.5%
U.S. Information Agency						
	7.3	9.7	10.1	9.9	-0.2	-1.7%
Department of Veterans Affairs						
	610.6	841.7	903.1	943.8	40.8	4.5%
Community Investment Program						
				253.4	253.4	
Total Fed. Program	10,954.5	11,916.8	12,222.1	13,040.6	818.5	6.7%

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
INTERDICTION														
Department of Defense	0.0	4.9	9.7	14.6	54.8	105.7	405.3	94.7	329.1	543.4	751.0	854.4	743.8	761.7
Bureau of Land Management	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2	2.3	2.8	1.4
OTIA	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	1.0	1.3	0.8	0.8	0.8
Immigration and Naturalization Service	0.2	0.2	0.3	0.4	0.4	0.7	17.2	17.5	52.0	48.6	62.6	67.7	70.1	73.3
U.S. Coast Guard	227.5	328.9	359.9	508.2	506.6	397.8	553.0	509.8	628.9	661.2	714.6	431.2	417.7	458.0
Federal Aviation Administration	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.8	3.2	9.3	16.5	15.1	12.8	11.8
U.S. Customs	122.0	124.0	103.6	183.7	245.3	239.7	367.1	317.5	427.0	488.3	481.8	588.8	498.2	458.2
Payments to Puerto Rico	0.0	0.0	0.0	0.0	0.0	0.0	7.8	7.8	0.0	0.0	0.0	0.0	0.0	0.0
	349.7	458.0	473.5	706.9	807.3	744.0	1,350.5	948.1	1,440.7	1,751.9	2,027.9	1,960.2	1,746.2	1,765.1
INVESTIGATIONS														
U.S. Forest Service	0.0	0.0	0.0	0.1	0.4	0.3	0.3	0.4	0.4	3.0	6.3	6.2	6.3	6.3
Bureau of Indian Affairs	0.7	0.8	0.8	0.8	1.9	1.7	3.6	2.3	7.6	11.8	11.1	18.5	18.8	18.4
Bureau of Land Management	0.0	0.0	0.0	0.0	0.0	0.4	0.5	0.9	0.7	4.9	4.9	4.7	5.4	2.8
National Park Service	0.1	0.2	0.5	0.7	0.8	0.2	1.2	1.2	0.9	5.7	10.9	10.8	8.6	8.6
Drug Enforcement Administration	124.2	140.5	143.7	178.0	211.1	252.9	325.1	327.3	375.2	338.2	433.1	455.4	483.4	494.7
Federal Bureau of Investigation	7.7	11.3	101.5	84.5	103.6	103.2	134.6	172.6	198.4	127.5	152.3	181.3	195.5	194.3
INS	0.1	0.1	0.1	0.1	0.1	5.5	9.8	17.1	28.5	29.3	27.6	31.7	33.7	35.2
U.S. Marshals	3.2	3.7	4.0	5.3	7.4	6.8	8.8	11.2	28.7	39.1	44.2	36.0	41.2	41.3
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	160.5	252.8	308.8	289.0	288.4
Bureau of Alcohol, Tobacco & Firearms	24.6	17.6	27.7	33.7	40.4	27.6	60.1	78.6	87.4	94.2	120.0	133.0	149.0	144.0
U.S. Customs	11.4	13.9	30.4	39.6	44.7	52.2	63.1	75.1	83.8	130.7	57.4	59.1	57.4	52.8
Federal Law Enforcement Training Ctr.	0.9	0.9	1.0	1.5	2.6	4.4	6.5	7.3	17.7	17.2	20.8	16.8	21.9	18.3
Internal Revenue Service	28.3	34.0	41.2	43.5	48.8	53.9	61.6	70.4	84.3	81.0	93.2	102.8	115.5	112.9
U.S. Secret Service	10.2	12.9	18.0	22.3	27.2	28.7	37.1	40.5	46.2	47.3	53.6	42.9	54.2	57.9
	211.3	235.9	369.1	410.1	489.0	537.8	712.2	804.8	959.7	1,090.4	1,288.2	1,408.0	1,479.7	1,475.7
INTERNATIONAL														
Agency for International Development	0.0	15.7	9.2	10.6	6.7	23.5	7.1	9.9	13.3	54.5	189.6	250.2	134.8	96.4
DoD (506(A)(2) & Excess Def. Articles)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	65.0	53.3	0.0	0.0	0.0	0.0
Assets Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.4	14.0	13.2
Drug Enforcement Administration	31.0	34.3	36.9	42.8	51.0	67.7	91.1	97.4	97.6	141.3	172.4	161.4	166.6	170.5
Federal Bureau of Investigation	0.0	0.0	0.0	0.0	0.0	0.0	1.3	1.1	1.1	1.5	1.8	2.2	1.8	1.8
International Narcotics Matters	34.7	36.7	36.7	41.2	50.2	55.1	118.4	98.8	101.0	129.5	150.0	144.8	147.8	147.8
Interpol	0.1	0.1	0.1	0.1	0.1	0.2	0.6	0.8	0.7	1.1	1.3	1.9	1.9	1.9
U.S. Marshals	0.0	0.0	0.0	0.1	0.2	0.2	0.3	0.5	0.6	0.9	3.5	2.6	2.8	2.8
Treasury Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.6	6.1
Bureau of Politico/Military Affairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	21.6	114.5	107.6	75.3	52.3	38.7
Emer. In the Dip. & Consular Service	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.0	0.0	0.3	0.3
U.S. Information Agency	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0	2.8	3.4	7.3	9.7	10.1	9.9
	66.8	87.8	83.9	95.8	109.2	147.7	220.9	209.3	304.0	500.1	633.4	660.4	538.0	489.3
PROSECUTION														
Judiciary	26.3	30.5	33.0	41.2	52.4	68.0	100.1	133.4	146.3	152.8	179.0	233.8	268.6	330.7
U.S. Attorneys	19.5	20.9	32.7	47.7	54.8	57.3	74.2	80.7	132.0	126.8	181.5	206.7	207.2	207.9
Criminal Division	1.6	1.9	1.8	1.9	2.7	2.7	3.3	9.4	13.3	10.6	18.5	20.2	19.2	20.4
U.S. Marshals	23.1	25.6	27.0	30.6	40.6	45.2	56.7	79.9	95.1	118.0	154.8	179.0	190.5	191.0
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	46.8	68.5	76.2	80.1	79.9
Tax Division	0.0	0.0	0.8	0.8	1.6	2.0	2.0	2.2	2.2	0.9	1.1	1.1	1.2	1.3
	70.6	78.9	95.3	122.2	152.1	175.3	236.3	305.6	388.9	455.9	583.4	716.9	766.8	831.2

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
CORRECTIONS														
Judiciary	7.0	8.2	8.8	11.0	14.0	18.2	26.8	35.7	39.2	73.4	80.5	89.6	97.0	119.4
Bureau of Prisons	74.7	97.9	118.1	121.4	182.1	219.5	339.1	465.3	772.1	1,553.8	1,011.0	1,226.8	1,305.4	1,434.9
INS	0.0	0.0	0.0	0.0	0.0	0.0	4.0	34.5	45.0	41.5	38.4	40.0	40.5	42.3
Support of Prisoners	5.9	8.0	13.1	16.4	19.5	21.1	27.9	53.3	77.1	112.0	135.1	164.1	190.6	253.4
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	87.6	114.1	140.0	148.8	215.6	258.8	397.8	588.8	933.4	1,780.7	1,265.1	1,520.5	1,633.4	1,850.0
INTELLIGENCE														
U.S. Forest Service	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.2	0.4	0.4	0.4
Drug Enforcement Administration	20.9	23.0	21.5	23.6	25.4	25.0	36.2	34.4	32.3	39.0	43.9	53.2	67.4	69.0
Federal Bureau of Investigation	0.6	0.6	5.3	4.5	5.5	5.4	7.1	9.1	10.4	9.6	23.6	17.4	17.8	17.7
INS	0.0	0.0	0.0	0.0	0.0	0.3	0.2	0.9	0.8	0.8	1.0	1.3	1.4	1.5
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.1	7.8	0.0	15.7	15.7
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0	0.0	0.0
U.S. Customs	1.6	2.0	2.4	2.8	4.5	4.9	3.7	8.3	9.8	11.4	12.1	13.1	12.7	11.7
FinCEN	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.6	13.1	13.2	11.4
	23.1	25.6	29.2	30.9	35.4	35.6	47.2	52.8	53.4	64.9	104.1	98.6	128.7	127.4
STATE AND LOCAL ASSISTANCE														
U.S. Forest Service	0.4	0.4	0.4	2.0	2.2	2.2	1.9	2.0	2.0	2.0	2.7	2.3	2.4	2.4
Department of Defense	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	27.6	107.4	144.0	189.0	249.6	255.6
Bureau of Indian Affairs	1.0	1.1	1.1	1.2	1.2	2.8	5.4	3.4	0.4	0.4	0.5	0.6	0.7	0.7
Bureau of Land Management	0.0	0.0	0.2	0.2	0.2	0.7	0.6	0.6	0.5	1.5	1.5	1.5	1.5	0.8
Fish and Wildlife Service	0.1	0.1	0.2	0.2	0.4	0.3	0.4	0.4	0.0	0.8	1.0	1.0	1.1	1.0
Asset Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	17.0	47.0	76.0	157.3	176.8	266.8	181.9	226.0	213.0
Treasury Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	106.5	115.9
Bureau of Prisons (NIC)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.1	5.1	5.8	6.2	6.4	7.0
Drug Enforcement Administration	21.6	19.2	23.9	22.6	29.2	12.5	13.2	11.4	13.8	15.6	16.1	16.1	15.4	15.7
Office of Justice Programs	4.5	4.2	6.7	7.2	12.0	12.7	214.6	71.5	126.6	348.4	413.0	425.0	411.2	411.6
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.5	5.0	5.1	0.0	0.0
Exec. Off. for Weed & Seed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.6	6.7
Federal/State Partnerships	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.5
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	32.9	36.0	36.0	36.0
Nat. Highway Traffic Safety Admin.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	5.1	6.7	8.0	6.3	7.5
Community Investment Program	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	125.0
Customs Forfeiture Fund	0.0	0.0	0.0	0.0	6.0	13.5	24.5	21.2	0.0	29.9	119.4	120.0	0.0	0.0
	27.6	25.0	32.5	33.4	51.2	61.7	307.5	186.5	334.1	696.5	1,015.5	992.7	1,069.5	1,211.5
REGULATORY AND COMPLIANCE														
U.S. Forest Service	0.1	0.3	0.3	0.4	0.2	0.6	1.0	2.7	2.6	0.0	0.0	0.0	0.0	0.0
Food & Drug Administration	1.4	0.8	0.7	0.7	0.7	1.6	1.6	1.6	6.5	7.2	6.5	6.7	6.8	6.8
Drug Enforcement Administration	17.0	20.3	25.0	21.9	25.0	12.3	15.3	16.9	19.1	19.1	21.7	21.8	21.8	22.3
Bureau of Alcohol, Tobacco & Firearms	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.7	1.6	2.2	3.2	2.9	3.4	3.3
	18.5	21.4	26.0	23.0	25.9	14.5	17.9	21.9	29.8	28.5	31.4	31.4	32.0	32.4
OTHER LAW ENFORCEMENT														
Asset Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	26.0	73.0	85.0	114.3	156.5	154.3	217.7	258.3	243.5
Treasury Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	79.5	86.5
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	29.0	46.7	55.7	55.5	51.6
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0
	0.0	0.0	0.0	0.0	0.0	26.0	73.0	85.0	115.5	185.5	202.0	273.4	393.4	381.7

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
RESEARCH AND DEVELOPMENT														
Agricultural Research Service	1.4	1.4	1.4	1.4	1.4	1.3	1.4	1.3	1.3	1.5	6.4	6.5	6.5	6.5
U.S. Forest Service	0.0	0.0	0.0	0.1	0.2	0.0	0.0	0.0	0.1	0.1	0.5	0.5	0.5	0.5
Department of Defense	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.6	61.0	91.6	60.5	62.0
Drug Enforcement Administration	1.4	1.8	3.9	2.9	2.2	1.5	4.3	3.2	2.7	2.9	3.0	0.0	0.0	0.0
Federal Bureau of Investigation	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.6	3.8	3.7	3.7
INS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	1.0	0.5	0.4	0.5
Office of Justice Programs	0.0	0.2	2.2	0.3	0.9	2.7	4.7	9.6	11.6	14.7	17.9	16.7	22.0	22.0
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.4	0.4	0.4
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.5	1.5	0.9	0.9
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	20.0	15.0	28.0
FinCEN	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.2	1.0	3.7	3.2
Coast Guard	0.3	0.3	0.2	0.4	1.5	3.6	4.1	4.1	4.0	4.0	4.0	5.2	2.4	2.6
FAA	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.7	0.9	0.8
Nat. Highway Traffic Safety Admin.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2	0.5	0.5	1.4	1.7
U.S. Customs	1.8	1.6	1.5	1.2	1.5	1.3	1.1	3.7	4.8	4.7	3.4	3.7	3.8	3.5
Pres. Com. Organized Crime	0.0	0.0	0.2	1.6	2.2	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
ADAMHA -- Prevention	30.1	24.1	26.4	32.0	35.8	40.8	65.9	73.4	81.0	127.7	150.6	157.5	0.0	0.0
NIDA -- Prevention	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	164.3	165.5
SBA -- Prevention	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2
ADAMHA -- Treatment	41.5	33.2	35.3	39.1	45.4	44.6	74.1	74.4	122.7	158.1	185.7	191.8	0.0	0.0
NIDA -- Treatment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	239.9	241.6
Veterans Affairs -- Treatment	0.0	2.0	2.5	2.7	2.7	2.3	2.0	2.1	2.2	2.1	2.2	2.7	4.4	4.6
	76.5	64.7	73.6	81.7	93.8	99.0	157.6	171.8	230.6	327.7	450.1	504.5	530.9	548.2
DRUG ABUSE PREVENTION														
Action	2.5	6.8	6.9	6.8	6.9	6.9	7.8	5.9	10.1	10.5	12.5	10.0	9.9	10.1
Agency for International Development	0.0	0.0	0.0	0.0	1.2	1.9	5.2	4.5	3.1	5.4	7.1	7.8	5.0	3.5
Department of Defense	21.2	36.2	46.4	49.8	63.0	63.4	77.8	83.8	69.7	66.8	71.5	73.6	72.0	73.7
Department of Education	2.9	2.9	2.9	2.9	3.0	2.9	203.0	229.8	354.5	541.7	609.1	626.1	612.7	620.0
Administration for Children and Families	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	74.6	79.4	83.8	83.8
ADAMHA	16.1	30.0	32.5	32.1	34.1	32.6	98.4	85.2	150.7	329.7	420.1	441.6	0.0	0.0
SAMHSA	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	418.9	455.9
Centers for Disease Control	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	20.0	25.2	29.3	28.6	31.2	36.6
Family Support Administration	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.0	2.0	0.0	0.0	0.0	0.0
Human Development Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	43.9	57.1	0.0	0.0	0.0	0.0
Indian Health Service	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.7	2.9	3.0	3.5	3.0
Dept. of Housing & Human Develop.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.2	98.3	150.0	165.0	175.0	265.0
Bureau of Indian Affairs	0.0	0.0	0.0	0.0	0.0	0.0	3.5	0.8	2.6	2.2	3.1	3.6	4.4	4.3
Bureau of Land Management	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.3	0.3	0.4	0.4	0.2
National Park Service	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.4	0.4	0.3	0.6	0.6
OTIA	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.4	0.7	0.6	0.6
Drug Enforcement Administration	0.0	0.0	0.0	0.1	0.1	0.4	0.9	1.9	2.2	2.2	2.2	2.1	1.5	1.5
Office of Justice Programs	0.0	0.0	0.0	0.0	0.0	3.3	3.7	7.4	13.0	34.2	21.8	21.3	20.3	20.3
Department of Labor	43.4	25.9	35.8	36.0	37.3	33.1	41.1	37.5	38.6	48.0	60.9	61.5	70.5	72.7
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	4.0	5.6	5.7	5.5	1.6
Small Business Administration	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0
Federal Aviation Administration	0.4	0.2	0.4	0.5	0.4	0.5	0.9	5.5	4.3	9.1	7.3	7.3	8.1	7.5
Department of Veteran Affairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.5	0.5
Community Investment Program	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	128.375
White House Conference	0.0	0.0	0.0	0.0	0.0	0.0	2.0	2.5	0.0	0.0	0.0	0.0	0.0	0.0
	86.4	101.9	124.9	128.1	146.0	145.0	444.3	464.7	725.4	1,238.0	1,479.2	1,538.7	1,524.4	1,789.9

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
DRUG ABUSE TREATMENT														
Department of Defense	12.4	21.4	23.3	24.1	18.5	19.8	20.9	22.1	12.4	16.6	15.0	17.4	14.8	15.2
Department of Education	6.8	7.3	9.1	11.3	12.7	15.9	20.0	24.9	22.6	61.2	74.1	88.6	87.7	88.8
Administration for Children and Families	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	31.7	31.7	31.8	31.8
ADAMHA	156.1	120.0	130.1	128.5	136.5	130.7	263.3	281.0	463.9	727.9	774.9	829.2	0.0	0.0
SAMSHA	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	884.2	962.3
Health Care Financing Administration	70.0	70.0	80.0	90.0	100.0	110.0	120.0	130.0	140.0	170.0	190.5	201.8	231.8	261.2
Health Resources Service Administration	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	13.2	16.5	20.9	39.5
Human Development Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.9	0.0	0.0	0.0	0.0
Indian Health Service	1.5	1.6	2.1	2.3	2.4	2.4	21.7	16.2	18.7	30.1	32.4	32.2	41.4	35.9
Judiciary	4.2	4.9	5.3	6.6	8.3	10.8	15.9	21.2	23.3	31.9	34.6	36.5	41.3	50.8
Bureau of Prisons	2.9	2.9	2.8	2.7	3.1	3.3	3.8	4.3	4.1	8.0	10.7	21.5	22.3	24.5
Office of Justice Programs	0.0	0.0	0.0	0.0	0.0	1.2	19.6	8.1	34.4	88.9	83.1	80.0	87.8	87.9
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	4.0	5.6	5.7	5.5	1.6
Department of Veterans Affairs	259.9	277.5	296.4	316.7	343.9	341.8	341.8	360.7	425.8	492.9	608.4	838.6	898.2	938.7
	513.8	505.6	549.1	582.2	625.3	635.7	827.1	868.5	1,146.3	1,636.4	1,874.2	2,199.8	2,367.7	2,538.1
TOTAL DRUG CONTROL BUDGET	1,531.8	1,718.9	1,997.1	2,363.2	2,750.9	2,881.0	4,792.2	4,707.8	6,661.8	9,756.5	10,954.5	11,905.2	12,210.8	13,040.6

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FY 1994 BUDGET HIGHLIGHTS

	(\$ Millions)				FY93 - FY94		FY89 - FY93	
	1991 Actual	1992 Actual	1993 Enacted	1994 President's Budget	Change \$	%	Change \$	%
Criminal Justice System	4,385.6	4,943.1	5,374.8	5,782.5	407.7	8%	\$2,613.4	95%
Drug Treatment	1,874.2	2,199.8	2,367.7	2,538.1	170.4	7%	1,221.4	107%
Education, Community Action, and the Workplace	1,479.2	1,538.7	1,524.4	1,789.9	265.5	17%	799.0	110%
International	633.4	660.4	538.0	489.3	(48.7)	-9%	234.0	77%
Interdiction	2,027.9	1,960.2	1,746.2	1,765.1	18.9	1%	305.5	21%
Research	450.1	504.5	530.9	548.2	17.2	3%	300.3	130%
Intelligence	104.1	98.6	128.7	127.4	(1.3)	-1%	75.3	141%
Total	10,954.5	11,905.2	12,210.8	13,040.6	829.8	7%	\$5,549.0	83%

- o The President intends to revamp the drug control strategy by increasing the number of police on the streets and by dramatically increasing the availability of drug treatment.
- o The President's FY94 request of \$13 billion provides \$8.3 billion (64 percent) for supply-related programs and \$4.7 billion (36 percent) for demand-related programs.
- o Funding for international programs would be reduced \$48 million (-9 percent) below FY93.
- o Funding for treatment slots (especially through the Capacity Expansion Program) would be increased by \$170.4 million.
- o Funding for prevention activities (especially through HUD, the Community Partnerships Program (HHS), and the Community Investment Program) would be increased \$265.5 million.
- o Drug-related community policing efforts would be funded at \$137.5 million.
- o New drug-related funding in FY94 would total \$830.5 million, of which 53 percent (\$439 million) is demand related.
- o DEMAND REDUCTION INITIATIVES
 - \$2.5 billion for drug treatment
 - \$1.8 billion for prevention (includes \$90 million for HUD's Community Partnerships Against Crime)
 - \$1 billion for the Community Investment Program

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o SUPPLY REDUCTION INITIATIVES

- 23 percent increase for the Judiciary (\$501 million total)
- 10 percent increase for the Bureau of Prisons (\$1.5 billion total)
- Most Federal law enforcement held to less than inflation or cut

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DRUG BUDGET PRIORITIES

QUESTION

How does the Administration's proposed drug budget differ from the previous Administration's? How does it signal a different approach to drug use?

ANSWER

- o There are several significant departures from the previous Administration in the President's drug proposals:
 - Funding for international programs has been reduced. **International is down \$48 million (-9 percent).**
 - Funding for treatment slots through the Capacity Expansion Program has been increased dramatically to target treatment capacity in the areas of greatest need.
Treatment is up \$170.4 million (+7 percent).
 - Funding for prevention activities to reach our most vulnerable citizens has been increased significantly through HUD and the CIP.
Prevention is up \$265.5 million (+17 percent).
 - Major funding is proposed for placing police on the streets to reduce crime and disrupt local drug markets.
\$500 million for police; \$125 million drug-related.
 - The majority of new funds for FY 94 would support demand reduction rather than supply reduction efforts.
Demand is up \$439 million; supply is up \$391.5 million.

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BUDGET PROCESS TIMETABLE

I. PRESIDENT'S BUDGET

- A. **Late January** CBO issues "preview" sequestration report providing estimates for discretionary, pay-as-you-go, and excess deficit.
- B. **Early February** President submits budget by the first Monday. OMB issues its own sequestration preview report.
- C. **Mid-March** House and Senate committees report to their budget committees on their spending and revenue plans ("views and estimates").

II. CONGRESSIONAL BUDGET RESOLUTION AND RECONCILIATION

- A. **Mid-April** Congress adopts budget resolution for the coming year.
- B. **Mid-June** Budget reconciliation, i.e., guidance to the appropriations committees, needed when the budget resolution requires further spending cuts or tax increases.

III. AUTHORIZATIONS AND APPROPRIATIONS

- A. **Mid-April** If the Congressional budget resolution is passed by this time, committees will get allocations.
- B. **Mid-May** If there is no Congressional budget resolution yet, the House can start to pass appropriations anyway.
- C. **June 30** House is expected to pass all 13 appropriations bills.
- D. **September 30** All appropriations due to be enacted.

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IV. SEQUESTRATION

- | | |
|--|---|
| A. <u>August 10</u> | President must notify Congress if he wants to exempt military uniformed personnel from any possible sequestration. |
| B. <u>Mid-August</u> | CBO must submit to OMB a new "sequestration update" that revises the preview report. |
| C. <u>August 20</u> | OMB must issue its own sequestration update. |
| D. <u>10-15 Days after end of session</u> | CBO sends final sequester report to OMB. OMB sends its final report to Hill 5 days later. Sequester order goes out. |

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DEMAND/SUPPLY SPLIT

QUESTION

During the campaign, President Clinton suggested that the demand-supply split should be 50/50. How and when will the 50/50 split be achieved?

ANSWER

- o The President's request for FY 1994 is 64% supply-related and 36% demand-related. The funding increases for supply- and demand-related activities for FY 1994 are 5% and 10% respectively (i.e., the rate of increase for demand was twice that for supply). Future budgets will continue and accelerate this trend.
- o The 64% figure encompasses all law enforcement activities. These supply-side activities include drug investigations, interdiction activities, law enforcement grant aid to State and local governments, foreign law enforcement assistance, and drug-related regulatory functions. These activities tend to be more expensive than demand reduction activities, which principally include funding for the Department of Health and Human Services and the Department of Education.
- o Also, certain programs, such as interdiction are solely the responsibility of the Federal government, while other programs, such as drug treatment, are primarily state and local government functions.

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DEMAND INITIATIVES

QUESTION

What are the major demand initiatives in FY 1994, and how many additional treatment slots will be funded?

ANSWER

- o The Administration is requesting \$2.54 billion for drug treatment, of which \$1.1 billion is for drug related expenditures of the SAMSHA Center for Substance Abuse Treatment (CSAT). This includes funds to treat persons with co-morbid substance abuse problems and youths under 21 years of age with alcohol problems. This is an increase of \$93 million, or 9% over the FY 1993 level.
- o Of the \$93 million, \$23 million will be used to maintain residential treatment slots for pregnant and postpartum women, supported in FY 1993 by the one-time earmark of set-aside funds from the Substance Abuse Block Grant. An additional \$67 million will be used to increase funding for the Treatment Capacity Expansion Program (CEP) to treat and additional 30,000 persons. In addition, \$7 million will be reallocated from expiring grants within the CSAP Pregnant Women and Infants program to the CEP to partially offset the impact of inflation for this existing Federal treatment capacity.
- o The Administration is requesting \$1.79 billion for drug prevention, of which \$620 million is for drug related expenditures of the Drug-Free Schools and Communities program.
- o The Administration is requesting a total of \$265 million for the Department of Housing and Development's Drug Elimination program. Of this amount, a \$90 million increase has been requested to fund a new initiative -- Community Partnerships Against Crime (COMPAC). This program will expand enforcement support through reimbursement of local law enforcement agencies, additional security and protective services. It will also use community policing methods of crime prevention. Youth initiatives and resident services programs will also be components of COMPAC.

- o Public Law 102-368 (Dire Emergency Supplemental Appropriations Act of 1992) created the Community Investment Program (CIP) to implement initiatives to improve the quality of life and expand economic opportunity. Of the total funds available for the (CIP), approximately \$128 million is available for drug prevention activities. A portion of this amount will be used to enable distressed communities to develop and implement coordinated economic strategies. Additional authorizing legislation is required.

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SUPPLY REDUCTION PROGRAM

QUESTION

What are the major initiatives in the '94 budget for supply reduction? What programs have been reduced, and what is the impact of these cuts?

ANSWER

- o The major FY 1994 initiatives for supply reduction were requested for the Judiciary, Bureau of Prisons, Drug Enforcement Administration, Immigration and Naturalization Service, Support of Prisoners, U.S. Coast Guard, National Highway Traffic Safety Administration, Financial Crimes Enforcement Network, and the Treasury Forfeiture Fund.
 - The Judiciary - Additional resources are proposed to handle the projected 24,500 new drug-related defendants in 1993. The additional FTE's are designated for prosecution and related activities, including providing public counsel for indigent defendants.
 - Bureau of Prisons - A funding increase is principally associated with the activation of new prisons and prisoner population growth.
 - Drug Enforcement Administration - The President is requesting 60 positions, 30 workyears, and \$4.9 million to support Diversion Operations which include 36 positions to support the registration of mid-level practitioners; 7 positions for registration program shortfall; 2 positions for the administrative law adjudication process; and 15 positions to support the Anabolic Steroid Control Act.
 - Immigration and Naturalization Service - First, the President is requesting a program increase of 135 positions, 8 workyears and \$1.2 million to improve service at major urban-area land border ports-of-entry. The additional resources will allow additional traffic lanes to open, thus permitting a more thorough inspection of persons presenting themselves for inspection for admission into this country.
- Second, an increase of 8 workyears and \$463,000 is requested for the Investigations program to expand the

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Institutional Hearing Program. The goal of this program is to ensure the immediate removal from the United States of convicted alien felons upon completion of their sentence by identifying them and initiating their deportation while they are still incarcerated.

Lastly, an increase of 223 positions, 23 workyears, and \$2,178,000 is requested for staffing the expansion of the Florence and El Centro Service Processing Centers.

- Support of Prisoners - An additional \$62.5 million is requested to support an increasing detainee population and increasing detention costs.
 - U.S. Coast Guard - An additional \$3.4 million is requested for built-in change and the operational maintenance of new facilities. These include extraordinary health care cost increases, participation in a DOD property system, cutter and aircraft maintenance, satellite communications on cutters, shore facility and information resources management support.
 - National Highway Traffic Safety Administration - An additional \$1.2 million is requested for the Drug Evaluation and Classification program.
 - Financial Crimes Enforcement Network - Program reductions of \$.5 million in administrative overhead and personnel reductions. Program increases of \$.7 million are to restore items delayed to cover increased rent resulting from FinCEN's information resources infrastructure, and artificial intelligence development.
 - Treasury Forfeiture Fund - Drug-related resources expended from the fund are expected to increase in FY 1994.
- o The Justice Forfeiture Fund, Federal Bureau of Investigation, and U.S. Customs Service programs have proposed reductions for FY 1994.
- Justice Forfeiture Fund - A decrease in funding is principally due to reduced collections and the creation of the Treasury Forfeiture Fund.
 - Federal Bureau of Investigation - A decrease of 20 positions and 19 workyears is proposed to comply with recent Presidential Executive Orders to reduce the

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overall size of the Federal work force and achieve savings in administrative expenses. Personnel decrease will be achieved by reducing Agent and support staff at FBI Headquarters. Impact on field investigative activities will be minimized by streamlining headquarter operations and oversight.

- U.S. Customs Service - The President proposes reducing the Air and Marine Programs by \$37 million in FY 1994.

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FACT SHEET - DRUG BUDGET CERTIFICATION

What are budget certifications?

- o By law, ONDCP must certify as to the adequacy of each agency's budget to accomplish the objectives of the National Drug Control Strategy.
- o The law does not specify what form certification must take. A typical certification includes the following components:
 - Director's Letter - The letter summarizes whether the overall budget request is adequate and highlights particular funding issues which should be addressed. Further, these certification letters are used to convey specific policy guidance.
 - Budget Tables - Most certifications are accompanied by an enclosure which highlights ONDCP's funding recommendation for each proposal included in an agency budget. For example, in a given year DEA often requests new funding for close to 60 initiatives. ONDCP will recommend a funding level for each of these initiatives, as well as provide an explanation for these decisions.

How do agencies use certifications?

- o There is no legal requirement for agencies to accept ONDCP's funding recommendations. How a certification is used depends on whether it was done for an agency submission or an OMB submission.
- o Agency Submission. In the summer, ONDCP certifies the budget requests of agencies to their cabinet officers. Certification documents are provided to agencies and to each department's budget office before the Secretary makes final decisions on the budget request that will be submitted to OMB. Thus, there is an opportunity for ONDCP's recommendations to affect each cabinet officer's budget decision.
- o OMB Submissions. In the fall, ONDCP certifies the budget request of cabinet officers to OMB. Certification documents are provided to each cabinet officer and OMB before OMB makes final decisions on what will be included in the Budget of the President.

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- OMB takes account of ONDCP's recommendations in developing the budget, and after agencies are advised of OMB's preliminary decision, cabinet departments use ONDCP's certifications as part of an appeals process to have funding restored which have been cut.
- During the final phase of preparing the President's Budget, ONDCP becomes actively involved in negotiating with OMB on funding levels for particular drug control programs.

What is the certification progress for FY 1994?

- o ONDCP has completed the certifications for all FY 1994 agency budget submissions. These summer certifications were done in the context of funding levels which would be adequate to accomplish the objectives of the Bush Administration's National Drug Control Strategy.
- o In anticipation of the appointment of a permanent Director, ONDCP did not do the final certification. ONDCP advised Congress and the White House of this decision.

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ONDCP BUDGET ROLE

QUESTION

What role did ONDCP have in the decision process for the 1994 budget?

ANSWER

- o ONDCP reviewed and certified bureau level budgets in the summer and agency level budgets in the fall. The Department-level certifications usually occur between Thanksgiving and Christmas. However, given the impending change in Administrations as well as the assumed change in program and budget policy, the Bush Administration elected not to conduct the certification process.
- o In anticipation of the appointment of a permanent Director, ONDCP did not do the final certification. ONDCP advised Congress and the White House of this decision.
- o However, ONDCP monitored budget development and, in a couple of instances, raised concerns about funding levels. Subsequently, these levels were changed.

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ASSET FORFEITURE FUNDS

QUESTION

What is your opinion of asset forfeiture?

ANSWER

- o Asset forfeiture is an effective means of deterring crime: it demonstrates that criminal activity will result in substantial economic penalties -- that crime literally will not be allowed to pay. the asset forfeiture program is based on a sound premise: that one should not be allowed to retain assets used or gained in pursuit of a crime. In practice, the asset forfeiture program is profitable and facilitates coordination with State law enforcement agencies.
- o Of course, the asset forfeiture program is not perfect. We must be vigilant in assuring that property is not seized from honest owners. I will work with officials from the Treasury and Justice Departments to ensure that the due process rights of innocent third parties are protected. It is my understanding, however, that asset forfeitures have generally been handled in a highly professional manner, and that the program has proven both effective and profitable.
- o Proceeds from the Justice Asset Forfeiture Fund have been provided to State/local law enforcement agencies, not just Federal drug enforcement agencies. By law these proceeds must be used to benefit drug enforcement operations. However, Chairman Conyers of the House Committee on Government Operations has drafted a bill which would allow the Fund to be used for demand-related activities. There may be some community policing programs in drug-infested areas that could be eligible to receive funds now.
- o The Special Forfeiture Fund (SFF), allocated to ONDCP, provides the mechanism for Congress to appropriate funds for demand programs and community-based programs, and it could be used for that purpose in FY 1994. In Fiscal Year 1993, \$15.3 million was transferred to HHS for the Capacity Expansion (Treatment) Program.
- o Additionally, Congress created the Treasury Forfeiture Fund in FY 1993. At the end of each fiscal year, up to \$10 million can be transferred from this fund to the SFF. This money is only authorized to be appropriated for Department of Education drug grants.

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NOTE: There are opposing views on this issue in the Congress. There is also opposition to this proposal from State and local law enforcement and from national law enforcement associations.

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SPECIAL FORFEITURE FUND - FACT SHEET

Overview

- o The Assets Forfeiture Amendments Act of 1988 established the Special Forfeiture Fund (SFF), in order to allow the ONDCP supplementary resources to fight the war on drugs.
- o Deposits to the Fund come from the Department of Justice (DOJ) Assets Forfeiture Fund after it meets certain necessary expenses. Investment income generates additional revenue for the Special Forfeiture Fund.
- o Funds appropriated to the (SFF) have been previously appropriated directly to ONDCP. Beginning in Fiscal Year 1994, SFF funding is reflected as Funds Appropriated to the President (FAP), Federal Drug Control Programs.
- o Beginning in FY 1991, deposits to the Special Forfeiture Fund from the Justice Department may occur on a quarterly basis.
- o Deposits to the Special Forfeiture Fund from the Assets Forfeiture Fund cannot exceed \$150 million per fiscal year.
- o Monies are not available for obligation or transfer until appropriated by Congress. Historically, Congress has been very specific concerning which agencies/projects are to be financed from the Fund.
- o Historically, transfers from the Justice Asset Forfeiture Fund to the Special Forfeiture Fund have exceeded amounts which Congress makes available for obligation through annual appropriations.

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SPECIAL FORFEITURE FUND - FACT SHEET

Historical Funding

(\$ in thousands)

	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
Receipts	\$ 85,000	\$159,024	\$37,500	\$ 7,742	\$26,201	TBD a
Appropriation	\$115,000	46,000	52,500	75,742	28,000 b	TBD
Investment Income	\$ 0	0	975	400	400	TBD
Unobligated Balance	\$ 0	83,024	68,999	1,399	0	TBD

****NOTES****

- a) Receipts for FY 1995 could total up to \$150 million based on the assumption that the anticipated FY 1994 unobligated balance will be \$0.
- b) The House Treasury Postal Subcommittee approved the FY 94 request, with the following allocations:

Director's discretion	\$ 7,000
IRS criminal investigators	\$ 6,000
CTAC	\$ 5,000
Customs	\$ 5,000
DEA	\$ 4,000
ATF	\$ 1,000
Total	\$28,000

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SPECIAL FORFEITURE FUND - FACT SHEET

CTAC Research and Development

- o Public Law 101-509 provided appropriations to establish within ONDCP the Counter-drug Technology Assessment Center (CTAC), whose purpose is to serve as the central counter-drug research and development center for the Federal Government.
- o CTAC is headed by the Chief Scientist of Counter-drug Technology, who is appointed by the Director of ONDCP. Acting on behalf of the Director, the Chief Scientist oversees CTAC's five Congressionally-directed responsibilities:
 - To identify and define the short-, medium-, and long-term scientific and technological needs of Federal, State, and local law enforcement agencies involved in the anti-drug program. Research emphasis will be on advanced surveillance, tracking and radar imaging measures, electronic support measures, communications, and ADP systems and applications;
 - To assign priorities to the identified research needs by considering their technological and fiscal feasibility;
 - To oversee and coordinate counter-drug technology initiatives of other Federal civilian and military departments;
 - To submit reprogramming and transfer requests of funds appropriated for counter-drug enforcement research and development; and
 - To conduct research and development activities for substance abuse addiction and rehabilitation research, as directed in Public Law 102-141.
- o The FY 1994 SFF request includes potential funding for counter-drug research and development activities associated with CTAC.

Federal Initiatives

- o In addition to potential funding for CTAC, the total FY 1994 SFF request of \$28 million includes funding for high priority drug control activities, consistent with the Strategy, identified by the Director of ONDCP.

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FACT SHEET - TREASURY FORFEITURE FUND

- o Prior to 1984, investigative agencies paid expenses related to seizures and forfeitures of property from their appropriated funds. If seized property was forfeited and sold, agencies could deduct the costs of the seizure and forfeiture from the sale of the property. If the property was not forfeited, or the costs exceeded whatever proceeds were realized from the property, seizing agencies were forced to assume the loss.
- o Agencies were confronted with inadequate funds for these operations and little incentive to properly manage and maintain seized property. To address these concerns and provide resources for seizure and forfeiture operations, the Comprehensive Crime Control Act of 1984 created both the Assets Forfeiture Funds (AFF) within the Department of Justice and the Customs Forfeiture Fund. All Treasury bureaus, other than Customs, participated in the AFF.
- o To provide the Secretary of Treasury with greater flexibility in managing law enforcement resources, statutes dealing with forfeiture funds were amended in October 1992. The Customs Forfeiture Fund was abolished, and a new Treasury Forfeiture Fund (TFF) was created. In addition to Customs, Treasury enforcement bureaus participating in the Justice Fund will join the TFF by October 1993.
- o The purpose of the Treasury Forfeiture Fund is to punish and deter criminal activity by depriving criminals of property used in or acquired through illegal activities, enhance cooperation among foreign, Federal, State, local law enforcement agencies through asset sharing, and produce revenues to enhance forfeitures and strengthen law enforcement.
- o Funding for the Treasury Forfeiture Fund is produced through the deposits of seized and forfeited currency, as well as the sale of seized and forfeited assets where the proceeds are deposited into the Assets Forfeiture.
- o Appropriations from the TFF are divided into two categories:
 - Permanent Indefinite - The Fund's authorizing language appropriated "such sums as may be necessary" for all mandatory expenses associated with Treasury forfeiture operations. Close to 90 percent of the Fund's activities fall into this category.

OFFICE OF NATIONAL DRUG CONTROL POLICY

-- Definite Appropriation - For all discretionary activities of the Fund, an annual appropriation from receipts in the Fund is requested.

o Funding Summary:

	<u>1993 Estimate</u>	<u>1994 Estimate</u>	<u>1995 Request</u>
Total Drug Budget	\$134.0	\$200.8	\$217.8

BLRS-22
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OFFICE OF NATIONAL DRUG CONTROL POLICY

SUPER SURPLUS FUND

QUESTION:

What is the status of the Super Suplus Fund and how is the funding distributed?

ANSWER

- o The law that Congress passed (P.L. 102-140) gives the Attorney General complete authority and discretion over how monies are spent from this fund.
- o The total Super Surplus that was available in 1992 was \$44.2M. \$30.6M has been allocated to date to the following agencies: Federal Bureau of Investigation \$24.2M, Drug Enforcement Administration \$4.0M, Internal Revenue Service \$2.0M, and \$.5M for the Executive Office for Asset Forfeiture.
- o The remaining balance of \$13.5M has yet to be distributed. The attached table displays breakout.

ASSETS FORFEITURE FUND
1992 Super Surplus Allocations

	<u>(12/23/92)</u> <u>ROUND #1</u>	<u>(5/6/93)</u> <u>ROUND #2</u>	<u>ROUND #3</u>	<u>ROUND #4</u>	<u>TOTAL</u>
1992 Capital Surplus Available	\$44,194,000	\$22,544,000			\$44,194,000
<u>Less Allocations:</u>					
Federal Bureau of Investigation	\$15,200,000	\$9,000,000			\$24,200,000
Drug Enforcement Administration	4,000,000	0			4,000,000
Immigration & Naturalization Service	0	0			0
U.S. Marshals Service	0	0			0
Bureau of Prisons	0	0			0
U.S. Attorneys	0	0			0
Criminal Division	0	0			0
Internal Revenue Service	2,000,000	0			2,000,000
Bureau of Alcohol, Tobacco & Firearms	0	0			0
U.S. Secret Service	0	0			0
U.S. Postal Service	0	0			0
U.S. Park Police	0	0			0
<u>Executive Office for Asset Forfeiture</u>	<u>450,000</u>	<u>0</u>			<u>450,000</u>
TOTAL ALLOCATIONS	\$22,544,000	\$9,000,000			\$31,544,000
1992 Capital Surplus Remaining	\$22,544,000	\$13,544,000	\$0	\$0	\$13,544,000

Prepared by the Executive Office for Asset Forfeiture (May 13, 1993)

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Divider Title: _____

DRUG STATISTICS

Federal Drug Control Budget (\$ millions):	1988	1989	1990	1991	1992	1993	1994
	\$4,707.8	\$6,661.8	\$9,756.5	\$10,954.3	\$11,905.2	\$12,210.8	\$13,041.4

Source: OMB Budget Summary

Drug Use Trends (1,000s):	1979	1982	1985	1988	1990	1991	1992
Overall Drug Use	24,289	22,263	22,980	14,479	12,948	12,813	11,404
Past Month (Current) Cocaine Use	4,330	4,170	5,750	2,923	1,601	1,892	1,305
Occasional Cocaine Use (less than monthly)	na	9,666	8,568	5,803	4,143	4,348	3,448
Frequent Cocaine Use (Weekly)	na	690	647	862	662	625	642
Current Marijuana Use	22,520	20,020	18,190	11,616	10,206	9,721	8,950
Lifetime Heroin Use	2,430	1,880	1,930	1,907	1,654	2,653	1,840
Current Adolescent Drug Use	4,061	2,560	3,260	1,866	1,622	1,362	1,269

Source: Household Survey

1992 data are not to be discussed until HHS releases the data.

Hospital Emergency Room Trends	1988	1989	1990	1991	1992 Q1	1992 Q2	1992 Q3
Total Drug Mentions	668,153	713,392	635,460	685,233	184,386	182,531	190,861
Total Cocaine Mentions	101,578	110,013	80,355	102,727	30,103	26,854	30,924
Total Heroin Mentions	38,063	41,656	33,804	36,576	9,947	11,581	13,387
Total Marijuana Mentions	19,962	20,703	15,706	16,492	5,600	5,807	5,961

Source: DAWN

Estimated Drug User Population:	1988	1989	1990	1991
Cocaine --				
Casual Users (use less often than weekly)	7,347,000	6,466,000	5,585,000	5,440,000
Heavy Users (use at least weekly)	2,082,321	2,334,509	1,965,544	2,142,597
Heroin --				
Casual Users (use less often than weekly)	539,000	505,000	471,000	381,492
Heavy Users (use at least weekly)	641,664	625,126	515,487	586,132

Source: Abt and Associates under contract to ONDCP.

Treatment Capacity Information:	1989	1990	1991	1992	1993	1994
Treatment Equivalent Slots	556,000	559,000	596,314	594,381	599,953	608,060
Number of Persons Served	1,557,000	1,509,000	1,594,000	1,561,580	1,548,254	1,540,486
Number of People to Benefit from Treatment	3,310,000	3,043,000	2,643,000	2,591,000	2,543,000	2,496,000

Source: OMB/HHS

FBI-UCR Crime Statistics:	1988	1989	1990	1991
Total Crime Rate (per 100,000)	5,664.0	5,741.0	5,820.3	5,897.8
Violent Crime Rate (per 100,000)	637.2	663.7	731.8	758.1
Drug-Related Murders	1,027	1,402	1,367	1,344
Drug Arrests	1,155,200	1,361,700	1,089,500	1,010,000

Prison Population:	1988	1989	1990	1991	1992
State Total	577,672	653,193	706,943	752,525	803,334
Federal Total	49,928	59,171	67,432	71,608	80,259
Total Federal and State	627,600	712,364	774,375	824,133	883,593
% of Federal Prisoners who are drug offenders	44.8%	49.9%	52.3%	57.0%	59.6%

Source: The percentage is from the Bureau of Prisons; population data are from BJS.

Cocaine HCL Production (Metric Tons):	1988	1989	1990	1991	1992
Low Estimate	840	845	880	955	955
High Estimate	1,040	1,050	1,090	1,170	1,165
Midpoint of Range Estimate	940	948	985	1,063	1,060

Source: State Dept., INCSR

Federal-Wide Drug Seizures:	1989	1990	1991	1992
Cocaine (Metric Tons)	99.2	107.3	109.5	137.8
Heroin (Kilograms)	1,095.2	815.0	1,374.4	1,120.5
Marijuana (Pounds)	1,122,095	500,411	677,259	780,987

Source: DEA

Cocaine and Heroin Price and Purity:	1987	1988	1989	1990	1991	1992 (Q3)
Cocaine (Wholesale Level) --						
Price Per Pure Gram	\$65.44	\$55.00	\$69.23	\$91.03	\$70.89	\$67.51
Purity	78%	80%	75%	58%	72%	73%
Cocaine (Retail Level) --						
Price Per Pure Gram	\$138.89	\$121.43	\$121.21	\$194.44	\$177.97	\$145.16
Purity	72%	70%	66%	54%	59%	62%
Heroin (Wholesale) --						
Price Per Pure Gram	\$588.90	\$537.46	\$331.80	\$529.89	\$366.77	\$404.96
Purity	39%	47%	61%	47%	72%	57%
Heroin (Retail) --						
Price Per Pure Gram	\$581.11	\$362.50	\$623.53	\$757.58	\$662.16	\$875.00
Purity	21%	40%	43%	33%	37%	40%

Source: DEA Illegal Price/Purity Report & ONDCP Calculations (estimates are based on midpoints of ranges reported by DEA).

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - THE AVAILABILITY OF DRUGS IN THE U.S. MARKET

- o The Anti-Drug Abuse Act of 1988 required that the Office of National Drug Control Policy develop goals for reducing drug use in the United States. The Strategy incorporates numerous goals aimed directly at the most urgent drug use problems, for example, reducing adolescent use of cocaine. It also incorporates goals to reduce the availability of drugs, which in turn affects the overall Strategy goal of reducing drug use.
- o Supply reduction programs seek to limit the availability of drugs to make it more difficult for users to obtain drugs by increasing both the time it takes them to find drugs and the price (including penalties) they must pay for the drugs. In theory, as it becomes increasingly difficult to find and expensive to use drugs, fewer users would be likely to begin or continue using drugs. And hard-core users would likely be more disposed to enter treatment if it is more difficult to maintain their drug use.
- o The inability to sustain reductions in drug availability frustrates prevention and treatment programs that seek to reduce drug use. While the long-term key to winning the drug war is to eliminate the demand for drugs, short-term success may be impaired if supplies remain plentiful, cheap, and of high quality. Some progress was achieved in reducing the availability of drugs during the late 1980s. Since then, however, supply reduction efforts have been unable to reduce consistently the availability of both cocaine and heroin in the U.S. drug market.
- o With respect to cocaine, availability appears to be fluctuating from year to year. It declined from 1988 to 1990, but then increased in 1991 (although it remained below the 1988 and 1989 levels). Although final estimates are not yet available, it appears that seizures have increased modestly and that the amount of cocaine entering the U.S. in 1992 is not much different from the level seen in 1991.
- o The increased availability of cocaine that occurred in 1991 correlates with an increase in cocaine use. According to the Household Survey, in 1991 there were 1.9 million current (monthly) users, up from 1.6 million users in the previous year. ONDCP also estimates that the number of heavy cocaine users increased from 1.9 million to 2.1 million between 1990 and 1991. The evidence suggests that the increase in supply in 1991 led to lower cocaine prices (relative to 1990), which induced existing consumers to purchase more cocaine.

- o With respect to heroin, there is no reliable estimate of the amount available in the U.S. market. However, seizures increased from 424 kilograms in the first half of 1991 to 508 kilograms in the first half of 1992, which suggests that the amount entering the U.S. could be on the rise. Other indicators of increased availability are changes in price and purity of heroin. Recent evidence shows the trend in heroin price is down and that purities are up -- together these facts suggest that availability is up.
- o The primary indicators by which we monitor drug use trends have not revealed any significant increases in heroin use. There were some increases in the number of emergency room cases involving heroin, but these were mostly confined to aging, long term drug users suffering the consequences of years of drug use. Other data show relatively stable rates of heroin use. For example, the National Household Survey on Drug Abuse shows that less than one percent of the general population used heroin in 1991, representing no change from rates reported in survey years 1988 and 1990.
- o Emphasis on eradicating marijuana within the United States led to significant price increases, and these were in turn accompanied by continuous reductions in use as measured by the Household Survey and other instruments. The latest seizure data appear to indicate an increase in importation of marijuana, which may be in response to several years of increased success in domestic eradication efforts. In recent years more than 70 percent of the marijuana available to the domestic market has come from outside the U.S. Eradication efforts in Latin America, particularly in Mexico, also have increased significantly, however. Current marijuana use has declined steadily, from 12.7 percent of the population in 1979 to 4.8 percent in 1991.
- o With respect to other drugs, such as methamphetamines, LSD, and various narcotics, the cadre of users and the market structure are such that estimates of availability are impossible to make. Statistics show no change in the small number of people reporting use of these drugs since 1988.
- o These developments raise many questions, perhaps chief among them whether supply reduction programs as they are currently being implemented have achieved demonstrable, cost-effective reductions in drug use, and whether such programs could be made more effective if done differently. For example, the emphasis could be shifted toward disrupting the importation of drugs into this country, rather than making arrests and seizing drugs. And local law enforcement personnel could concentrate on maintaining a very public and visible presence in drug trafficking areas, disrupting drug transactions and intimidating buyers and sellers alike.

OFFICE OF NATIONAL DRUG CONTROL POLICY

THIRD QUARTER 1992 DAWN DATA

QUESTION

The latest DAWN statistics show that the level cocaine- and heroin-related medical emergencies have reached all time highs. How will these increases effect drug policy?

ANSWER

- o The President is very concerned about the increases in drug-related emergencies. In third quarter 1992, the latest information available, cocaine mentions increased to 30,924, reaching peak levels set in 1989. Heroin mentions reached an all time high of 13,387.
- o We've expected some increases in cocaine- and heroin-related emergencies because of the high purity and availability of those drugs in the street. The bulk of these emergencies continues to occur predominantly among older, long-term drug users suffering the consequences of substance abuse. Additionally, they are increasingly concentrated in large, urban areas.
- o Nonetheless, these statistics represent real human tragedies, and they underscore the urgent need to expand our efforts to provide effective drug treatment, and to educate young people about the dangers of drug abuse. That is why the President is seeking over \$400 million in additional funds in these areas for FY 1994.

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1992 HIGH SCHOOL SENIOR SURVEY

QUESTION

The recent High School Senior Survey indicates that drug use among high school seniors continues to decline, but that it is increasing among younger students. To what do you attribute this?

ANSWER

- o The trends in drug use among eighth and tenth graders as shown in the 1992 High School Senior Survey is based on two data points. Although we ought to be concerned, this is not a sufficient amount of data to establish a trend, and variation between the two observations may be the result of sampling or nonsampling error.
- o Nonetheless, we must remain vigilant. The increase among eighth graders in almost all categories indicates that young students may not be receiving the prevention and education messages that have worked so well among high school seniors. We need to make sure that these students learn the facts about drug and alcohol use.

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HOUSEHOLD SURVEY

QUESTION

What is the status of the 1992 Household Survey?

ANSWER

- o The National Household Survey on Drug Abuse (Household Survey) is an annual survey of persons 12-and-older living in households, and non-institutionalized group quarters. The results of the survey, which provide estimates of the prevalence of drug use, are nationally representative.
- o Because the Household Survey covers the widest cross-section of the Nation's population of any drug prevalence survey, it has come to be used as the major benchmark for measuring the level of drug use in this country. However, the survey is not thought to capture hard-core drug users, who are generally transient, living with unrelated persons, and are otherwise hard-to reach through standard data collection methodologies. Therefore, we believe the Household Survey is a better indicator of casual drug use than hard core drug use.
- o The Household Survey is the baseline for measuring progress as outlined in the "National Drug Control Strategy," and is critical to development of the annual strategy. In past years, ONDCP has received preliminary data with which to develop the strategy in the Fall, followed by a public release of the data in December. Preliminary 1992 figures were provided in November, but we were later told that there are some anomalies with the data.
- o We received updated 1992 data on a CLOSE HOLD basis just last week. Once HHS releases the data, which should occur any day, we will be able to discuss the latest trends publicly.

OFFICE OF NATIONAL DRUG CONTROL POLICY
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HEROIN EPIDEMIC

QUESTION

Are there any indications that the United States is facing a new epidemic of heroin use? What steps are being taken to assess and combat this threat?

ANSWER

- o Although opium production has declined every year from its 1989 peak, continued high levels of heroin production during recent years have contributed to increases in worldwide heroin availability. In recent years there has been a consistent increase in the availability of higher-purity, lower-priced heroin in this country. This trend, first noted in the Northeast in the late 1980s, now appears to have spread nationwide.
- o We are concerned about increased availability, but recent, in-depth analysis of the available data suggests that heroin users are generally older, long-term, hard-core drug users with chronic medical problems. As for new users, the evidence suggests they are mostly previous users of cocaine moving on to heroin, or using cocaine and heroin in combination. Heroin users are still most often male, but a growing numbers of females appears to be joining the heavy-user cohort. In summary, our best indicators of heroin consumption do not show a clear, upward National trend in heroin use.
- o In response to concerns about the possible reemergence of heroin use, we've established internal and external groups to monitor developments in heroin use and trafficking, and are coordinating improvements to the existing heroin data collection systems. We have undertaken a number of measures designed to improve our information on domestic heroin use, including:
 - Establishment of a permanent, internal analysis team.
 - Ongoing internal heroin industry assessments.
 - Monitoring of heroin use and trafficking through State and local regional liaison systems.
 - Coordination of quick result, spot-check surveys of heroin availability and use trends.

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- Management of in-depth contract analysis of existing data to detect trends, patterns, and characteristics of heroin trafficking and use.
 - Coordination of refinements to existing drug use surveys to more accurately measure heroin prevalence.
 - Solicitation of research in promising new methods of heroin interdiction.
- o Estimates of heroin addicts range from 500,000 to 750,000. These estimates have not changed appreciably in many years. Because heroin use in the United States is so small, and heroin users do not tend to live where standard data collection efforts would reach them, the number of respondents is extremely small. Admittedly, this makes any estimate of heroin use in the general population imprecise.

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Federal Drug Control Spending by Function
FY 1991 – FY 1994
(\$ Millions)

	1991 Actual	1992 Actual	1993 Enacted	1994 President's Budget	FY93 – FY94 Change		FY89 – FY93 Change	
					\$	%	\$	%
→Criminal Justice System	4,385.6	4,943.1	5,374.8	5,782.5	407.7	8%	\$2,613.4	95%
Drug Treatment	1,874.2	2,199.8	2,367.7	2,538.1	170.4	7%	1,221.4	107%
Education, Community Action, and the Workplace	1,479.2	1,538.7	1,524.4	1,789.9	265.5	17%	799.0	110%
International	633.4	660.4	538.0	489.3	(48.7)	-9%	234.0	77%
Interdiction	2,027.9	1,960.2	1,746.2	1,765.1	18.9	1%	305.5	21%
Research	450.1	504.5	530.9	548.2	17.2	3%	300.3	130%
Intelligence	104.1	98.6	128.7	127.4	(1.3)	-1%	75.3	141%
Total	10,954.5	11,905.2	12,210.8	13,040.6	829.8	7%	\$5,549.0	83%

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
INVESTIGATIONS														
U.S. Forest Service	0.0	0.0	0.0	0.1	0.4	0.3	0.3	0.4	0.4	3.0	6.3	6.2	6.3	6.3
Bureau of Indian Affairs	0.7	0.8	0.8	0.8	1.9	1.7	3.6	2.3	7.6	11.8	11.1	18.5	18.8	18.4
Bureau of Land Management	0.0	0.0	0.0	0.0	0.0	0.4	0.5	0.9	0.7	4.9	4.9	4.7	5.4	2.8
National Park Service	0.1	0.2	0.5	0.7	0.8	0.2	1.2	1.2	0.9	5.7	10.9	10.8	8.6	8.6
Drug Enforcement Administration	124.2	140.5	143.7	178.0	211.1	252.9	325.1	327.3	375.2	338.2	433.1	455.4	483.4	494.7
Federal Bureau of Investigation	7.7	11.3	101.5	84.5	103.6	103.2	134.6	172.6	198.4	127.5	152.3	181.3	195.5	194.3
INS	0.1	0.1	0.1	0.1	0.1	5.5	9.8	17.1	28.5	29.3	27.6	31.7	33.7	35.2
U.S. Marshals	3.2	3.7	4.0	5.3	7.4	6.8	8.8	11.2	28.7	39.1	44.2	36.0	41.2	41.3
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	160.5	252.8	308.8	289.0	288.4
Bureau of Alcohol, Tobacco & Firearms	24.6	17.6	27.7	33.7	40.4	27.6	60.1	78.6	87.4	94.2	120.0	133.0	149.0	144.0
U.S. Customs	11.4	13.9	30.4	39.6	44.7	52.2	63.1	75.1	83.6	130.7	57.4	59.1	57.4	52.8
Federal Law Enforcement Training Ctr	0.9	0.9	1.0	1.5	2.6	4.4	6.5	7.3	17.7	17.2	20.8	16.8	21.9	18.3
Internal Revenue Service	28.3	34.0	41.2	43.5	48.8	53.9	61.6	70.4	84.3	81.0	93.2	102.8	115.5	112.9
U.S. Secret Service	10.2	12.9	18.0	22.3	27.2	28.7	37.1	40.5	46.2	47.3	53.6	42.9	54.2	57.9
	211.3	235.9	369.1	410.1	489.0	537.8	712.2	804.8	959.7	1,090.4	1,288.2	1,408.0	1,479.7	1,475.7

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
PROSECUTION														
Judiciary	26.3	30.5	33.0	41.2	52.4	68.0	100.1	133.4	146.3	152.8	179.0	233.8	268.6	330.7
U.S. Attorneys	19.5	20.9	32.7	47.7	54.8	57.3	74.2	80.7	132.0	126.8	161.5	206.7	207.2	207.9
Criminal Division	1.6	1.9	1.8	1.9	2.7	2.7	3.3	9.4	13.3	10.6	16.5	20.2	19.2	20.4
U.S. Marshals	23.1	25.6	27.0	30.6	40.6	45.2	56.7	79.9	95.1	118.0	154.8	179.0	190.5	191.0
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	46.8	68.5	76.2	80.1	79.9
Tax Division	0.0	0.0	0.8	0.8	1.6	2.0	2.0	2.2	2.2	0.9	1.1	1.1	1.2	1.3
	70.6	78.9	95.3	122.2	152.1	175.3	236.3	305.6	388.9	455.9	583.4	716.9	766.8	831.2

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
CORRECTIONS														
Judiciary	7.0	8.2	8.8	11.0	14.0	18.2	26.8	35.7	39.2	73.4	80.5	89.6	97.0	119.4
Bureau of Prisons	74.7	97.9	118.1	121.4	182.1	219.5	339.1	465.3	772.1	1,553.8	1,011.0	1,226.8	1,305.4	1,434.9
INS	0.0	0.0	0.0	0.0	0.0	0.0	4.0	34.5	45.0	41.5	38.4	40.0	40.5	42.3
Support of Prisoners	5.9	8.0	13.1	16.4	19.5	21.1	27.9	53.3	77.1	112.0	135.1	164.1	190.6	253.4
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	87.6	114.1	140.0	148.8	215.6	258.8	397.8	588.8	933.4	1,780.7	1,265.1	1,520.5	1,633.4	1,850.0

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
REGULATORY AND COMPLIANCE														
U.S. Forest Service	0.1	0.3	0.3	0.4	0.2	0.6	1.0	2.7	2.6	0.0	0.0	0.0	0.0	0.0
Food & Drug Administration	1.4	0.8	0.7	0.7	0.7	1.6	1.6	1.6	6.5	7.2	6.5	6.7	6.8	6.8
Drug Enforcement Administration	17.0	20.3	25.0	21.9	25.0	12.3	15.3	16.9	19.1	19.1	21.7	21.8	21.8	22.3
Bureau of Alcohol, Tobacco & Firearms	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.7	1.6	2.2	3.2	2.9	3.4	3.3
	18.5	21.4	26.0	23.0	25.9	14.5	17.9	21.9	29.8	28.5	31.4	31.4	32.0	32.4
OTHER LAW ENFORCEMENT														
Asset Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	26.0	73.0	85.0	114.3	156.5	154.3	217.7	258.3	243.5
Treasury Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	79.5	86.5
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	29.0	46.7	55.7	55.5	51.6
Special Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0
	0.0	0.0	0.0	0.0	0.0	26.0	73.0	85.0	115.5	185.5	202.0	273.4	393.4	381.7

**NATIONAL DRUG CONTROL BUDGET
BY FUNCTION**

(\$ Millions)	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
STATE AND LOCAL ASSISTANCE														
U.S. Forest Service	0.4	0.4	0.4	2.0	2.2	2.2	1.9	2.0	2.0	2.0	2.7	2.3	2.4	2.4
Department of Defense	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	27.6	107.4	144.0	189.0	249.6	255.6
Bureau of Indian Affairs	1.0	1.1	1.1	1.2	1.2	2.8	5.4	3.4	0.4	0.4	0.5	0.6	0.7	0.7
Bureau of Land Management	0.0	0.0	0.2	0.2	0.2	0.7	0.6	0.6	0.5	1.5	1.5	1.5	1.5	0.8
Fish and Wildlife Service	0.1	0.1	0.2	0.2	0.4	0.3	0.4	0.4	0.0	0.8	1.0	1.0	1.1	1.0
Asset Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	17.0	47.0	76.0	157.3	176.8	266.8	181.9	226.0	213.0
Treasury Forfeiture Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	106.5	115.9
Bureau of Prisons (NIC)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.1	5.1	5.8	6.2	6.4	7.0
Drug Enforcement Administration	21.6	19.2	23.9	22.6	29.2	12.5	13.2	11.4	13.8	15.6	16.1	16.1	15.4	15.7
Office of Justice Programs	4.5	4.2	6.7	7.2	12.0	12.7	214.6	71.5	126.6	348.4	413.0	425.0	411.2	411.6
OCDETF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.5	5.0	5.1	0.0	0.0
Exec. Off. for Weed & Seed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.6	6.7
Federal/State Partnerships	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.5
ONDCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	32.9	36.0	36.0	36.0
Nat. Highway Traffic Safety Admin.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	5.1	6.7	8.0	8.3	7.5
Community Investment Program	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	125.0
Customs Forfeiture Fund	0.0	0.0	0.0	0.0	6.0	13.5	24.5	21.2	0.0	29.9	119.4	120.0	0.0	0.0
	27.6	25.0	32.5	33.4	51.2	61.7	307.5	186.5	334.1	696.5	1,015.5	992.7	1,069.5	1,211.5

OVERVIEW

CRIMINAL JUSTICE

GENERAL

This area is by far the largest of the several pieces of the Drug Control Budget. Funding in this area has nearly doubled since FY89. Drug budgets of the past several years have been criticized for putting disproportionate emphasis in this area. Arguments that law enforcement efforts have a deterrent effect and thus constitute in part a form of demand reduction have not been persuasive.

Some of the funding levels in this area are formula driven: that is, the amount scored for drug control in such areas as the Bureau of Prisons and Support of Prisoners is a function of the estimated number of individuals incarcerated for drug-related offenses. That level is projected to grow steadily, as it has for the last several years, and funding in this area will by necessity increase.

Funding levels in other programs in this area are similarly derived; the relative share of various agencies' total effort that is devoted to drug control drives the funding level. This means that in practice it is difficult (if not impossible) to reduce funding for drug control activities in these agencies without also reducing funding for other activities simultaneously. This is especially true in such agencies as the US Marshals Service, the Border Patrol, Customs (inspectors), ATF, etc. Only in DEA (and ONDCP) does adding or subtracting a dollar to the agency total generally add or subtract a dollar of drug effort.

A huge host of controversial and contentious issues surround this area. A good place to start is with the biggest account here -- the Bureau of Prisons. At nearly \$1.5 billion, this is the largest single account in drug control.

As noted above, funding in this area has grown significantly, driven by the increase in the proportion of drug-related offenders. This is in turn driven by two critical factors:

1. mandatory minimum sentences and
2. the number of Federal law enforcement agents.

To reduce the BOP account, either or both of these areas could be revisited.

Reducing the number of Federal law enforcement agents would presumably result in fewer investigations, arrests, prosecutions, convictions, and incarcerations. Obviously, however, there are

significant downsides to reducing efforts to enforce drug laws.

For this reason, some have favored revisiting mandatory minimum sentences. However, it is important to note that even if the mandatory sentences were cut in half, the BOP funding level would continue to grow: it's not simply a matter of reducing the number of individuals entering the prison system; unless individuals are also leaving prison at a faster rate, the total prison population will rise for some years to come. Reducing mandatory minimum sentences would reduce the prison population eventually -- several years out -- but not immediately.

Another option is to consider alternative penalties for nonviolent first-time offenders, including boot camps, mandatory treatment (though hardly any Federal offenders are incarcerated simply for use), special drug courts, and the like.

Some have argued that what we need is certainty of punishment rather than severity. What we have is severity but not much certainty.

Having noted this, however, it is probably also accurate to observe that for the most part Federal drug offenders tend to be convicted of trafficking offenses, money laundering, etc., rather than possession of small amounts of drugs. Some of what is perceived in the media as harsh penalties for minor drug offenses probably refers to non-Federal crimes. Still, two Federal judges in New York have recently refused to hear any drug cases because of mandatory minimums. The issue here, though, involves the question of usurping the judges' discretionary authority to pass sentences as much as the actual severity of the mandated sentences.

In a nutshell, then, absent reducing mandatory minimum sentences (or finding alternatives to incarceration) or reducing enforcement (or both), the BOP level will continue both to dominate the law enforcement area and to be a lightning rod for critics of Federal policy.

Paradoxically, there seem to be as many stories about the level of drug-related crime as about the harshness of criminal penalties, thus inviting even more enforcement activity. FBI's UCR reports continued increases in violent crime rates (though the increase slowed between 1990 and 1991), as does the National Crime Victimization Survey. Total arrests were up 1 percent in 1991. Drug-related murders (UCR) appear to have decreased slightly since 1989, and drug-related arrests are down two years in a row. It is interesting to note that the percentage of drug offenders actually sentenced to Federal prison was lower in 1990 and 1991 than in 1989.

Obviously, community policing could be a major initiative to address this problem. An increased law enforcement presence would serve to reduce crime (including drug crime) while avoiding the problems associated with mandatory minimum sentences, prison

overcrowding, and the like.

Other items:

- o Up to 1/3 of those in treatment were induced to enter treatment by the criminal justice system.
- o Minority groups are overrepresented among those convicted of and incarcerated for drug offenses as well as among those receiving Federally funded drug treatment.
- o There has been relatively little success in converting military facilities into boot camps (or facilities for the homeless or for drug treatment, for that matter).
- o Federal funding for State and local law enforcement (OJP) grew significantly in 1989-1992 after which it has been slightly reduced (with earmarks added).
- o Federal law permits Federal funds to be used to build State prisons; Federal policy has been NOT to do this.
- o Treatment in prison: drug education, outpatient treatment, and counseling are available in all Federal penal institutions. Residential treatment is available in 31 institutions, with expansion planned in 1994 and 1995. However, much less is available than is perceived to be needed.

FEDERAL LAW ENFORCEMENT AGENCY MERGERS

For several years possible mergers of Federal law enforcement agencies -- or components within them -- have been considered. None has come to pass.

The most frequently considered merger would combine FBI and DEA. This issue has been raised before; it is extremely contentious. At the end of the process, the status quo was reaffirmed.

A merger of INS (especially Border Patrol) and Customs (especially inspectors) has also been contemplated. This merger would cross Departments (Justice and Treasury). The agencies have different missions and a merger would need to address those. INS has been roundly criticized in the past for mismanagement. In part this derives from the fact that up until the last year INS management has been decentralized, with regional commissioners given a great deal of autonomy. This has made it difficult for there to be centralized authority and control. In fact, except for FBI, all Federal law enforcement agencies repose a great deal of autonomy in agents in the field.

Turf battles and interagency squabbles motivated many of the

efforts to merge agencies; indeed, they motivated in part the creation of ONDCP, which was supposed to reduce if not eliminate these problems.

While there has been much improvement in this area, by no means have turf battles disappeared. The question is whether you give up too much that is good in order to get rid of turf battles and rivalries.

There is also a very real question as to the ability of law enforcement to carry out the responsibilities it has inherited in the drug area.

- Only ONDCP has been charged in statute with reducing the supply of drugs. Other agencies are charged with enforcing various statutes prohibiting sales, manufacture, possession, money laundering, etc.
- Such a mission -- critically important as it is -- often requires long-term careful planning and execution in order to make successful cases, and agents proceed up the career ladder mainly on that basis.
- The question remains as to how well adapted law enforcement is to the task of reducing supply (or demand).

Finally, while there have been vocal critics on the Hill about an overemphasis on law enforcement, increased funding for law enforcement has been voted consistently year after year. A number of significant Members, especially of the Senate, strongly support Federal law enforcement, particularly when it is deployed against traffickers smuggling drugs across our borders (especially the Southwest Border area).

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VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1991, CONFERENCE REPORT -- DIRECT DRUG PROVISIONS

PAGE	TITLE	DESCRIPTION	COMMENTS
# 2	TITLE I (DEATH PENALTY)	Provides Federal death penalty for a range of offenses	Includes drug offenses as an aggravating factor for homicide (page 5) and a possible death penalty for Drug Kingpins (Sec 108, page 13). Aggravating factors that could lead to the imposition of the death penalty include use of firearms, drug distribution near schools, use of minors in drug distribution, drug distribution to those under 21 years, prior serious drug convictions, and others.
# 37	TITLE VII (YOUTH VIOLENCE)	Strengthens Federal penalties for employing children to distribute drugs. Adds Section 521 to the Code, with language that addresses criminal street gangs and Federal or State felonies involving a controlled substance (page 38).	Amends Section 419 of the Controlled Substances Act to address the use of children in the furtherance of drug distribution. Allows penalties three times those that would normally be assessed would normally be assessed for drug dealing. Felonies involving either a controlled substance, a crime of violence, or a conspiracy to commit either would carry certain added penalties.
# 66	TITLE XI (STATE AND LOCAL LAW ENFORCEMENT) SUBTITLE A, SECTION 1104 TASK FORCE GRANTS	Grants for multi-jurisdictional drug task forces.	Authorizes grants for drug task forces, with a total funding of "as necessary" for FY 1991 and \$200,000,000 each in Fiscal Years 1992, 1993, and 1994.
# 70	SUBTITLE C COMMUNITY PARTNERSHIPS	Community Partnerships to combat substance abuse	Authorizes a grant program to combat substance abuse, to be run through the Bureau of Justice Assistance (DOJ). Proposes \$15,000,000 in FY 1992 million, \$20,000,000 in FY 1993, and \$25,000,000 in FY 1994. Priority would be given to communities that meet certain criteria listed on page 72. Each coalition receiving money would be required to submit an annual report, evaluating the effectiveness of the program. DOJ would be required to submit an annual report to Congress, evaluating the overall program.
# 76	SUBTITLE F DRUG TESTING	Amends Omnibus Crime Act of 1968 (grants for State-level drug testing for arrested individuals).	Authorizes a program, to be administered by BJA, that provides grants for post-arrest drug testing. Funding is set at \$100,000,000 each for Fiscal Years 1992, 1993, and 1994. An allocation and distribution scheme are provided. The Federal share is not to exceed 70 percent of the cost of the program. A yearly report to BJA on program effectiveness is required, but there is no requirement for a report to Congress.
# 85	SUBTITLE H, SECTION 1191 JUVENILE GRANTS	Establishes a grant program for "Juvenile Drug Trafficking and Gang Prevention."	Authorizes a grant program to assist State and local governments in developing more effective programs to reduce the formation and continuation of juvenile gangs and the use and sale of illegal drugs by juveniles. Specific purposes the grants may be used for are specified (page 85). A 50/50 split between supply and demand programs is mandated, and certain special emphasis programs are defined. Funding is \$100,000,000 for FY 1992, with funds "as may be necessary" for FY 1993.
# 111	TITLE XIII (FEDERAL LAW ENFORCEMENT AGENCIES)	Lists authorizations for Federal Law Enforcement Agencies for FY 1992 (does not provide for following years). Dollars, and in some cases, FTEs are provided.	Total authorization is set at \$345,000,000 for Fiscal Year 1992. This is over and above any other appropriations. DEA total \$100,500,000 (\$45,000,000 for 350 agents and necessary support personnel to expand DEA investigations against drug trafficking organizations in rural areas, \$25,000,000 to expand DEA State and Local Task Forces, and \$5,000,000 for 50 special agents to investigate violations of CSA laws pertaining to anabolic steroids. FBI total \$98,000,000 for hiring of additional agents and support personnel to be dedicated to investigations of drug trafficking organizations.

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1991, CONFERENCE REPORT - DIRECT DRUG PROVISIONS

PAGE	TITLE	DESCRIPTION	COMMENTS
	TITLE XIII (FEDERAL LAW ENFORCEMENT AGENCIES)		INS total: \$45,000,000 (\$25,000,000 for "no fewer than" 500 Border Patrol officers, \$20,000,000 for "no fewer than" 400 INS criminal investigators dedicated to drug trafficking by illegal aliens and deportation of criminal aliens. U.S. Attorneys: \$45,000,000 for "not less than" 350 additional prosecutors and support personnel dedicated to the prosecution of drug trafficking and related offenses. U.S. Marshals: \$10,000,000 BATF: \$15,000,000 for "not less than" 100 special agents and support personnel to investigate firearms violations committed by drug trafficking organizations. U.S. Courts: \$20,000,000 for additional magistrates, probation officers, and other personnel and equipment to address the additional caseload generated by the other programs in this Title. Federal Defenders: \$12,000,000 for the defense of those charged with drug trafficking and related crimes.
# 112	TITLE XIV (PRISONS) SUBTITLE A, SECTION 4047 IMPACT ASSESSMENT	Sets up a requirement for prison impact assessments.	Requires that an impact assessment be done for any submission of legislation that could lead to an increase or decrease in the Federal prison population.
# 113	SECTION 1403, FEDERAL PRISONER DRUG TESTING	Federal prisoner drug testing program	Adds a requirement for drug testing for Federal offenders on post-conviction release. The program would include standards and guidelines, as the Director of BOP determines are needed. This section, in (e) on page 115, would require confirmation of all positives by the "gold standard" gas chromatography/mass spectrometry technique - or by some other technique determined to be equally accurate (after consultation with the Director, HHS).
# 115	SECTION 1404, DRUG TREATMENT IN FEDERAL PRISONS	Sets specific goals for residential substance abuse treatment within the Federal prison system.	Requires that an increasing percent of "eligible prisoners" be provided treatment each year, with 100 % being treated by the end of FY 1995. Requires a detailed yearly report to Congress and gives BOP control over both time and conditions of incarceration for prisoners who successfully complete treatment.
	SECTION 1405, PRISON FOR VIOLENT DRUG OFFENDERS	Authorizes funding for 1992 to provide special regional Federal prisons for violent drug offenders (both Federal and State inmates would be eligible for incarceration). NOTE: DIRECTOR, ONDCP HAS A CONSULTATION ROLE.	Authorizes appropriation of \$600,000,000 for FY 1992 to construct 10 regional prisons, and \$100,000,000 for operation for one year. The Director, BOP will consult with the Director, ONDCP on locations. The populations will be 20% Federal inmates and 80% State inmates. States are required to reimburse BOP for all costs. 25% of the cost is refunded to the State for each inmate who successfully completes the program.
# 118	SECTION 1406, BOOT CAMPS	Authorizes funding for 1992 to provide 10 Federal bootcamps (both Federal and State inmates would be eligible for incarceration). NOTE: DIRECTOR, ONDCP HAS A CONSULTATION ROLE.	Authorizes appropriation of \$150,000,000 for FY 1992 to construct and operate 10 Federal boot camps for selected prisoners. The Director, BOP will consult with the Director, ONDCP on locations, which would be on closed military installations. The populations will be 20% Federal inmates and 80% State inmates. Post-release supervision is required and States are required to reimburse BOP for all costs. 20% of the cost is refunded to the State for each inmate that successfully completes the program.
# 120	SUBTITLE B (STATE PRISONS) PART U, RESIDENTIAL TREATMENT	Authorizes a BJA grant program to provide for residential drug treatment programs in State prisons.	Establishes a grant program, under BJA, to provide funds for residential treatment programs in State prisons. There is a drug testing requirement. Certain reports are required. Total funding available under the program for FY 1992 thru FY 1994 is \$100,000,000 per year.

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1991, CONFERENCE REPORT - DIRECT DRUG PROVISIONS

PAGE	TITLE	DESCRIPTION	COMMENTS
# 125	TITLE XIV (PRISONS) SECTION 1424, NIJ ASSESSMENT OF ALCOHOL USE AND TREATMENT	Requires the Director of NIJ to conduct a study on alcohol use and treatment.	The study will compare the recidivism rates of individuals under the influence of alcohol or alcohol in combination with other drugs at the time of the offense. Participation in residential treatment while in the custody of the State as an influencing factor will be included. The assessment will also include a nationwide assessment regarding the use of alcohol and alcohol in combination as a factor in criminal activity.
# 125	SECTION 1425, NOTIFICATION OF RELEASE OF PRISONERS	Requires BOP to give notice when a prisoner is being released on supervised release or when a prisoner changes to a new jurisdiction.	Requires BOP to notify the chief law enforcement officer of both the State and local jurisdiction when a prisoner convicted of a violent or drug trafficking crime is due to be released.
# 126	TITLE XV (RURAL CRIME) SUBTITLE A, DRUG TRAFFICKING IN RURAL AREAS SECTIONS 1501 AND 1502.	Amends Safe Streets Act of 1988 to add funding for a range of activities to address rural drug problems.	Provides \$50,000,000 for FY 1992 and "such sums as may be necessary" for FY 1993 FY 1994. Also establishes rural drug enforcement task forces and allows Attorney General to cross-designate up to 100 Federal law enforcement officers. An extra \$1,000,000 per FY is provided for this cross-designation program.
# 127	SUBTITLE B, RURAL DRUG PREVENTION & TREATMENT	Provides rural drug prevention and treatment grants.	Defines a program under control of the Director, OTI to provide for the drug prevention and treatment needs of nonmetropolitan areas. The program is a coordinated effort, giving special consideration to certain projects and providing grants that can run for up to three years. Funding is \$25,000,000 each for FYs 1992 and 1993.
# 129	SUBTITLE C, TRUCK STOPS	Amends CSA to address drug possession or distribution at truck stops and safety rest areas.	Sets up a 1,000 foot drug-free zone and provides enhanced penalties. Also directs the Sentencing Commission to develop sentencing guidelines for this new offense.
# 131	TITLE XVI (DRUG CONTROL) SECTION 1601, DRUG EMERGENCY AREAS	Authorizes the President to declare a State or part of a drug-related emergency area.	Funding for this section is set at \$300,000,000 each for FYs 1992, 1993, and 1994. NOTE: THE DIRECTOR, ONDCP HAS A CONSULTATIVE ROLE, IS REQUIRED TO MAKE RECOMMENDATIONS TO THE PRESIDENT, AND MUST DEVELOP AND ISSUE REGULATIONS TO IMPLEMENT THIS SUBSECTION.
# 133	SUBTITLE T, PRECURSOR CHEMICALS	Amends and adds to CSA, reference precursor chemicals.	Makes certain technical changes to existing laws governing precursor chemicals. Includes definitions, registration and reporting requirements, and certain reports.
# 139	SUBTITLE C, GENERAL PROVISIONS	Adds a range of general provisions in the drug arena.	Section 2237 (page 139) provides criminal penalties for failure to obey an order to land. Section 1633 (page 149) enhances penalties for drug trafficking in prisons. Section 1637 (page 142) adds penalties for drug dealing in public housing. Section 1644 (page 143) sets mandatory penalties for illegal drug use in Federal prisons.
# 143	SECTION 1542, NATIONAL DRUG CONTROL STRATEGY	Adds a new goal to the Strategy.	Adds a long-term goal for expanding the availability of treatment for drug addiction.

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1991, CONFERENCE REPORT - DIRECT DRUG PROVISIONS

PAGE	TITLE	DESCRIPTION	COMMENTS
# 145	TITLE XVIII (COMMISSIONS)		
# 145	SUBTITLE A. COMMISSION ON CRIME AND VIOLENCE	Establishment of a commission on crime and violence.	The Commission, which will have only an indirect effect on the drug area, is established to develop a crime control plan to serve as a "blueprint" for action in the 1990's. The Commission has a broad mandate.
# 146	SUBTITLE B. COMMISSION TO STUDY THE CAUSES OF THE DEMAND FOR DRUGS IN THE U.S.	Establish a national commission to study the causes of the demand for drugs in the United States.	In general, the Commission shall examine the root causes of illicit drug use; evaluate efforts being made to prevent drug use; assess the needs of the Government at all levels for resources and policies for reducing the desire to use drugs; and make recommendations concerning improvements in policies for reducing illicit drug use.
# 165	TITLE XXV (SENTENCING PROVISIONS)		
# 165	SECTION 2503. REVOCATION OF PROBATION	Mandatory revocation of probation for possession of a controlled substance or a firearm, or refusal to cooperate with drug testing.	The mandatory revocation requires the court to revoke the sentence of probation and resentence the defendant to a sentence that includes a term of imprisonment.
# 165	SECTION 2504. SUPERVISED POST-IMPRISONMENT RELEASE	Mandatory revocation of supervised release for possession of a controlled substance or for refusal to cooperate with drug testing.	The mandatory revocation requires the court to revoke the supervised release status and resentence the defendant to prison, to serve the full term as authorized under subsection (e)(3).

OFFICE OF NATIONAL DRUG CONTROL POLICY
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FACT SHEET - HIDTA PROGRAM

Overview

- o Section 1005 of the Anti-Drug Abuse Act of 1988 authorizes the Director of ONDCP to designate certain areas in the U.S. as High Intensity Drug Trafficking Areas (HIDTAs) for the purpose of providing increased Federal assistance to alleviate drug-related problems.
- o Subsequent Fiscal Year 1990 legislation made such designations mandatory and required ONDCP to designate HIDTAs by February 1, 1990. This designation occurred in January 1990, as part of the second National Drug Control Strategy. New York, Los Angeles, Miami, Houston, and the Southwest border were the HIDTAs designated. These areas receive assistance through a variety of Federal, State, and local cooperative efforts.
- o In designating these areas, the Director of ONDCP considered certain criteria. These included:
 - The extent to which the area is a center of illegal drug production, manufacturing, importation, and distribution;
 - The extent to which State and local law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;
 - The extent to which drug-related activities in the area are having a harmful impact in other areas of the Nation; and
 - The extent to which a significant increase in the allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.
- o HIDTAs are designated because of the seriousness of their drug trafficking problems and the effects that drugs flowing from these areas have on other parts of the country, not on the basis of a serious drug use problem within the designated HIDTA.

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - HIDTA GRANT PROGRAM

- o ONDCP's HIDTA Coordinator provides program oversight to the Departments of Justice and Treasury. The Department of Justice coordinates the HIDTA program for the four metropolitan HDTAs. The Department of the Treasury coordinates the program for the Southwest Border. Each HIDTA has a designated Federal official who coordinates the Federal HIDTA program and acts as a liaison between Washington, D.C., and the field office.

FY 1993 HIDTA Grant Program

- o Beginning in Fiscal Year 1993, ONDCP was assigned direct grant-making authority for the State and local portion. Consistent with the law, all HIDTA funds were obligated within 90 days of the enactment of ONDCP's appropriation for Fiscal Year 1993.
- o ONDCP entered into 60 cooperative agreements with States and localities totalling \$36.7 million in Fiscal Year 1993. All agreements were awarded by December 23, 1992, marking the earliest date that the Government has committed fiscal year funds to the States and localities involved in HIDTA initiatives.
- o Thirteen Fiscal Year 1993 recipients have drawn down a total of \$328,798 since the beginning of the fiscal year; fourteen recipients have requested extensions to their awards; and four recipients have requested and received approval for budget modifications. Financial and narrative performance reports required of Fiscal Year 1993 grantees are being submitted.
- o In order to ensure that funds are not co-mingled with prior year awards made by the Department of Justice, regular communication among the Justice Department, grantees, and ONDCP is on-going.

OFFICE OF NATIONAL DRUG CONTROL POLICY
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FACT SHEET - HIDTA GRANT PROGRAM

HIDTA Program Planning Process

- o Historically, in April of each year, ONDCP releases planning guidance to the HIDTA Coordinators who, with their local committees, review and prioritize planning proposals by May-June.
- o By July 1, HIDTA Coordinators submit agreed-upon planning proposals to the respective Departments (Justice for metropolitan HDTAs, Treasury for the Southwest Border HDTAs) for review.
- o The Departments submit proposals to ONDCP by August 1, after which ONDCP releases its Implementation Plan, providing final guidance to the respective Departments.
- o The Departments submit their final initiatives to ONDCP by September 15.
- o Upon receipt of the final initiatives, the ONDCP HIDTA office reviews the initiatives to ensure coordination between the two Departments and compliance with the policy guidance. Approval by ONDCP occurs by October 1.
- o Grants supporting State and local initiatives are awarded by ONDCP within 90 days of the appropriation of HIDTA funds to ONDCP by the Congress.
- o For Federal initiatives, funds are transferred by ONDCP to the appropriate Federal agency within 90 days of the appropriation of HIDTA funds to ONDCP by the Congress.

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - HIDTA GRANT PROGRAM

Status of FY 1994 HIDTA Program

- o The President's FY 1994 Budget request includes \$86 million for HIDTA funding. This represents the same level of funding as appropriated in FY 1993.
- o The President's Budget requests that all HIDTA funds be distributed at the discretion of the Director, ONDCP. Historically, the Congress has established a pre-determined allocation of HIDTA funds between Federal and State/Local initiatives.
- o The FY 1994 budget made an "accounting change" which designates HIDTA in a separate account under the Federal budget category "Funds Appropriated to the President." From a practical standpoint this change has no impact on ONDCP's administration of the program.
- o Personnel associated with administering the HIDTA program are funded through ONDCP's Salaries and Expenses budget.
- o The absence of a Director for ONDCP and the lack of a detailed plan for ONDCP in general and the HIDTA program in particular have left the FY 1994 planning process in limbo.

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - COMMUNITY INVESTMENT PROGRAM

- o Public Law 102-368 (Dire Emergency Supplemental Appropriations Act of 1992) created the Community Investment Program (CIP) to implement initiatives to improve the quality of life and expand economic opportunity. In 1993, \$500 million was appropriated for the program, subject to enactment of subsequent authorizing legislation.
- o The CIP is composed of an "Enterprise Community Block Grant Demonstration Program" and a "National Public/Private Partnership Program".
- o The 1994 budget submission process proposes an additional \$513.5 million in assistance for distressed communities under the Community Investment Program. Of the total funds available for the CIP in 1994, up to \$500 million will be used to provide grants to local units of government to hire new police officers through a Police on the Street Program. Also, up to \$50 million will be used for an economic strategy initiative administered by the Secretary of Housing and Urban Development to enable distressed communities to develop and implement coordinated economic strategies that address both short and long-term community needs. Additional authorizing language is required.
- o Approximately 25% of the Community Investment Program resources available in FY 1994 are drug-related.

BLRS-68
5/17/93

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - ALTERNATIVES TO INCARCERATION

- o The Attorney General has said she considers incarceration a last resort, especially regarding drug-dependent offenders, and favors an expansion of community approaches over continued prison building efforts.
- o Support for States and localities will proceed on three fronts.
 - Criminal justice and substance abuse block grants will target the treatment of drug-dependent offenders as a priority for expenditure.
 - Discretionary and categorical grants will demonstrate effective approaches, document treatment models, and provide support for program infrastructure, such as management information systems.
 - Technology transfer programs, such as the HHS Treatment Improvement Protocol (TIP) program, and technical assistance programs, such as the DOJ Treatment Alternatives to Street Crime (TASC) assistance and management information system programs, will continue.

ODR-47
5/18/93

OFFICE OF NATIONAL DRUG CONTROL POLICY

FACT SHEET - SPECIAL DRUG COURTS

- o Special courts have been established in a number of locations, to respond to the growing number of drug cases and the impact of those cases on the time required for court processing.
- o Many of these courts have achieved some success in reducing processing time, by segregating drug cases and employing specific tracking approaches acceptable to prosecution, defense, and probation departments, as well as judges.
 - For example, Philadelphia cut median processing time for narcotics cases from 294 days to 158, Milwaukee from 253 to 117, and Chicago from 245 to 69.
- o Chicago and Philadelphia courts are viewed as trading more lenient sentences for quicker pleas on the part of drug defendants.
- o It is noteworthy that this focus on drug cases did not hinder processing of other cases but resulted in reduced processing time, in all three cities, for nondrug cases as well.
- o The Miami/Dade County drug court differs from the others cited, in that its objective is to break the cycle of drug use and recidivism, by getting offenders into drug treatment, rather than to expedite processing.
 - The judge, the prosecutor, the public defender and the treatment staff function as a team committed to getting drug users into treatment and keeping them in treatment through to completion.
 - During an extended period of pretrial release, defendants are provided with services that include detoxification, assessment, acupuncture, frequent urinalysis, group and individual counseling, self-help groups, vocational and educational programming and employment referral.
 - At each appearance, the judge has immediate access to cumulative information on treatment participation, treatment progress and urinalysis results.
 - Crowding and processing time are not reduced. Indeed, police indicate that they make more drug possession arrests than previously because there is a viable drug program available through the Drug Court.

OFFICE OF NATIONAL DRUG CONTROL POLICY

- o Because of the complex nature of its objectives and the time required to apply appropriate measures of progress, a comprehensive outcome evaluation will be required to determine the effectiveness of the Miami/Dade County drug court. Such a study has not yet been done.
- o It is clear that transfer of this program to other jurisdictions would require that they put a number of prerequisites in place, prior to start up.
 - An understanding of drug use and of criminal justice populations, a willingness to depart from the adversary process, and the infrastructure and staff necessary to treat and monitor offenders are essential prerequisites.

ODR-35
5/17/93

OFFICE OF NATIONAL DRUG CONTROL POLICY

PRISON OVERCROWDING, MANDATORY SENTENCING

QUESTION

With the overcrowding problems in State and Federal prisons, will this Administration continue to support mandatory sentencing?

ANSWER

- o America incarcerates more individuals than any other nation. Over 1.5 million persons are housed in our prisons and jails daily, costing taxpayers billions of dollars.
- o Since mandatory sentencing went into effect in 1988, judges have been required to sentence more people to serve time and for longer periods. The effects of these mandated sentencing proposals have been questioned by lawmakers across the country, as well as by members of the judiciary, as prison and jail facilities became overcrowded.
- o I understand and sympathize with the motivation to ensure consistency in sentencing for serious crimes, including drug crimes. On the other hand, I also appreciate the need for retaining appropriate judicial discretion. I support alternatives to incarceration -- such as boot camps -- for first-time nonviolent offenders.

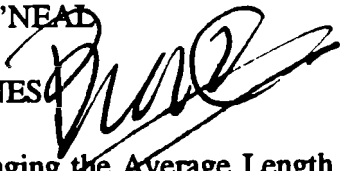
BSLA-67
04/22/92



OFFICE OF NATIONAL DRUG CONTROL POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
Washington, D.C. 20500

June 2, 1993

MEMORANDUM FOR LEE BROWN
 RICIA McMAHON
 DAN SCHECTER
 GARY CROSBY
 INGRID KOLB
 MIKE WALSH
 ADRIENNE O'NEAL

FROM: BRUCE CARNES 

SUBJECT: Impact of Changing the Average Length of Sentence for Drug
Offenses on the Federal Sentenced Prison Population and Budget

During the past three fiscal years, the Federal drug control budget has allocated approximately 65 percent to supply-side programs and 35 percent to demand-side efforts. The fastest growing segment of the supply-side budget has been for construction of new prisons. In 1981, the drug prison budget, adjusted for inflation, accounted for approximately 5 percent of the drug control budget; in 1992, prisons accounted for about 11 percent of total expenditures.

It has been suggested that if mandatory minimum sentences were reduced or eliminated for drug offenses, funds being made available for prisons could be shifted to relatively more effective supply-side programs. Attached is a paper that examines the impact of reducing the average sentence length for drug offenses on the Federal prison population and incarceration costs.

Our analysis shows that a reduction in the average sentence length of drug offenders (both those currently incarcerated and those who will be sentenced and incarcerated) by 10 percent a year through 2000 could result in:

- o Present value gross savings of \$6.4 billion dollars in the Federal prison system for the period;
- o Approximately 86,000 additional bed spaces by 2000;

- o a 58 percent reduction in the total Federal sentenced prison population; and,
- o Enough additional capacity to double the average sentence length for violent offenders over 1991 averages without increasing prison resources.

In addition, our analysis suggests that for the period 1981 through 1991 violent offenders received shorter sentences to make room for drug offenders. We estimate that every 1 percent increase in the average sentence length for drug offenses results in a 3.1 percent increase in the total Federal sentenced drug offender population, and a .8 percent decrease in the average sentence length for violent offenders.

c: J. Carnevale
B. Hankey

OFFICE OF NATIONAL DRUG CONTROL POLICY

ASSET FORFEITURE FUNDS

QUESTION

What is your opinion of asset forfeiture?

ANSWER

- o Asset forfeiture is an effective means of deterring crime: it demonstrates that criminal activity will result in substantial economic penalties -- that crime literally will not be allowed to pay. The asset forfeiture program is based on a sound premise: that one should not be allowed to retain assets used or gained in pursuit of a crime.
- o Of course, the asset forfeiture program is not perfect. We must be vigilant in assuring that property is not seized from honest owners. I will work with officials from the Treasury and Justice Departments to ensure that the due process rights of innocent third parties are protected. It is my understanding, however, that asset forfeitures have generally been handled in a highly professional manner, and that the program has proven both effective and profitable.
- o Proceeds from the Justice Asset Forfeiture Fund have been provided to State/local law enforcement agencies. By law these proceeds must be used to benefit drug enforcement operations. However, Chairman Conyers of the House Committee on Government Operations has drafted a bill which would allow the Fund to be used for demand-related activities. There may be some community policing programs in drug-infested areas that could be eligible to receive funds now.
- o The Special Forfeiture Fund (SFF), allocated to ONDCP, provides the mechanism for Congress to appropriate funds for demand programs and community-based programs, and it could be used for that purpose in FY 1994. In Fiscal Year 1993, \$15.3 million was transferred to HHS for the Capacity Expansion (Treatment) Program.
- o Additionally, Congress created the Treasury Forfeiture Fund in FY 1993. At the end of each fiscal year, up to \$10 million can be transferred from this fund to the SFF. This money is only authorized to be appropriated for Department of Education drug grants.

NOTE: There are opposing views on this issue in the Congress. There is also opposition to this proposal from State and local law enforcement and from national law enforcement associations.

OSR-13
6/16/93

Hyde seeks to curb property seizures by U.S.

By Lynne Marek
Special to the Tribune

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WASHINGTON—Republican Rep. Henry Hyde has teamed up with two civil rights groups in a bid to tighten laws that allegedly allow federal authorities to unjustly seize property from the innocent.

"I think the abuse of government power is one of the worst things a democracy can endure," said Hyde, of Illinois, at a Capitol Hill news conference Tuesday. He added that he will introduce legislation to shift the burden of proof in contested seizures to government agencies.

Hyde said 80 percent of the people whose property is seized under the Comprehensive Drug Abuse Prevention and Control Act of 1970 are never charged with a crime.

Under current law, when they try to reclaim their property, they must prove that their property wasn't used to commit a crime, said Hyde, whose bill would exempt innocent owners who were unaware of criminal activity.

He cited the example of Arkansas pilot Billy Munnerlyn, an air charter owner whose plane was seized by the Drug Enforcement Administration because he was



Tribune photo by Ernie Cox, Jr.

Rep. Henry Hyde, flanked by defense lawyers association president Nancy Hollander (left) and the ACLU's Nadine Strossen, outlines proposed restrictions on the U.S. property seizure law in drug cases.

transporting a suspected drug dealer. Charges against Munnerlyn were quickly dropped and his passenger was never convicted, but Munnerlyn paid \$85,000 in legal fees trying to get his plane back and then another \$7,000 to the

government to repurchase it.

Last year, a group known as Forfeiture Endangers American Rights (FEAR) was established to assist people who believe the Comprehensive Drug Abuse Prevention and Control Act was unfairly applied to them.

Brenda Grantland, a forfeiture lawyer and FEAR member, said she has seen a sharp rise in the number of seizures recently.

"[The government] is motivated by profit," Grantland said. "They go after whatever they can get."

Nancy Hollander of the National

Association of Criminal Defense Lawyers agreed, asserting that asset forfeiture has done little to stem the flow of drugs.

Growing controversy surrounds the law, which law-enforcement officials contend has been successful in combating illegal drug trafficking.

The amount of cash, property and financial investments seized by federal authorities and deposited in the Justice Assets Forfeiture Fund rose to \$531 million in 1992 from \$27 million in 1985.

Hyde's legislation would shift the burden of proof to the U.S. government, which would be required to show that the confiscated property was linked to a drug crime. Property owners who were unaware of or didn't participate in any criminal activity would be exempted.

Despite his criticism of civil-asset forfeiture, Hyde said he supports stringent enforcement of drug laws.

While applauding Hyde's bill, lawyers for the American Civil Liberties Union and members of the criminal-defense lawyers group said they would like Congress to take the legislation even further.

The law allows seizure as a form of punishment that far outweighs the crime, said Hollander and Nadine Strossen of the ACLU, citing the seizure of a home or a plane connected to a crime involving only a small amount of drugs.

Tribune correspondent Linda M. Harrington and Tribune wires contributed to this report.

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FACT SHEET - PLEA BARGAINING

- o Many members of the Congress have been critical about the plea bargaining process exercised by the various U.S. Attorney's Offices, particularly mandatory minimum sentencing. Mandatory sentencing must be imposed upon conviction unless the prosecuting attorney determines that the defendant has cooperated with the prosecution and has provided valuable inside information which could be used to investigate and indict higher-level drug traffickers.
- o The criticism is that the length of sentence for a convicted drug trafficker becomes imbalanced, weighted in favor of those higher up in the organization. They are the only ones who could have information worthy of plea bargaining in order to reduce a sentence. Lower level traffickers usually do not have information about others within an organization, and thus do not qualify for a reduced sentence.
- o After the Noriega trial, Senator DeConcini criticized this process. He charged that Carlos Lehder, one of the few major Colombian kingpins convicted and incarcerated in this country, was able to plea for a reduced sentence and transfer from a maximum security prison to a less restrictive prison facility in return for his testimony against Noriega. DeConcini believed that the Director of ONDCP was responsible for this apparent inequity, and should have established a national policy for the Attorney General and the individual U.S. Attorneys to follow.
- o DOJ has been wrestling with this issue for some time, but has not established guidance to U.S. Attorneys. The plea bargain is a useful tool for prosecutors, and their flexibility to negotiate with defendants has enhanced their ability to expand drug investigations.
- o ONDCP has chosen not to impose a standard policy upon the Attorney General. The issues are too complex to make a dictate from Washington. Each individual case is different, and is best left to the individual judgement of the U.S. Attorney handling the case. Also, the DOJ does not exercise the direct line authority of other Departments, such as Defense. The U.S. Attorneys consider themselves independent appointees of the President, and very rarely subject themselves to the case by case direction of DOJ.

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**FACT SHEET - REORGANIZATION OF THE CRIMINAL INVESTIGATION
DIVISION (CID), INTERNAL REVENUE SERVICE (IRS)**

- o The Conference Report accompanying the Fiscal Year 1993 Appropriations Bill for the Treasury Department expressed a concern that the CID of IRS had not been given the resources, authority and attention required to effectively carry out its mission. The Conference Report directed the Treasury Department to conduct a study of CID management and to submit a report of findings and recommendations to the Committees on Appropriations of the House and Senate by July 6, 1993.
- o Specified members of the study committee included the Assistant Secretaries of Management and Enforcement of the Department of Treasury, the Commissioners of IRS and the Customs Service, and a representative of ONDCP. The Deputy Director for Supply Reduction, ONDCP, was designated as the ONDCP representative.
- o The Committee has convened once, on December 1, 1992, with the objective of identifying all issues relating to management of CID for consideration of the incoming Commissioner of IRS. The Committee is scheduled to meet for the second time on June 22, 1993.
- o Senator DeConcini, Chairman, Subcommittee on Treasury, Postal Service and General Government, was the sponsor of the language contained in the Conference Report. Senator DeConcini's intent was that the Committee be chaired by Treasury, and consist of members from Federal law enforcement, Treasury management and IRS. He believed that IRS itself could not conduct a fair, thorough and objective evaluation of CID needs which were free of internal bias.
- o A problem had been recognized for years that IRS/CID had a highly decentralized structure. Implementation of high priority programs and critical operational decisions were dependent on a labyrinth of managers and offices separating the Assistant Commissioner, Criminal Investigation, and the field. Many felt this structure was a hinderance to the effective and efficient utilization of CID resources. The last major study of this issue was published by IRS in August, 1991, but did not recommend a centralized organization for CID. A minority report was included with the study report which did recommend that IRS select one of two recommended options to centralize.

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- o ONDCP endorsed restructuring CID to provide for centralized authority and accountability for IRS criminal enforcement personnel. Because IRS/CID plays a significant role in efforts to dismantle major drug trafficking organizations by investigating their financial infrastructure, centralization of CID was a key objective of the President's 1992 National Drug Control Strategy. This objective was written into the Strategy for the purpose of enabling CID to respond rapidly and effectively to the financial ramifications of drug-related crimes. However, Treasury and IRS declined to include this objective in their Strategy Implementation Plan.

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BUREAU OF LAND MANAGEMENT FUNDING

QUESTION

The FY 1994 request for BLM of \$5.2 million for drug control is \$4.8 million and 15 FTE less than the FY 1993 enacted level. This cut consists mainly of a reduction in BLM's Southwest Border activities. What is the reason for this cut? Am I to assume that the Administration feels that the Southwest Border is a low priority area for purposes of drug control?

ANSWER

- o Quite frankly, I am unable to explain why the FY 1994 request for BLM is less than the FY 1993 level.
- o This Administration supports efforts to stem the flow of drugs along the Southwest Border -- we support the continued designation of the Southwest Border as a HIDTA, for example -- and see no reason to reduce program efforts.
- o I suspect that the reduction for BLM reflects the success in the Federal marijuana eradication program. However, I can not say this for certain and will ask my staff to explore this further.

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MARIJUANA ERADICATION

QUESTION

What is the status of U.S. efforts to eradicate marijuana on public and private land? How much of the Federal drug budget goes to eradication?

ANSWER

- o Marijuana is the most commonly used illegal drug in the United States. It is a dangerous drug that reaps tremendous profits for the grower/trafficker.
- o While some 68 million Americans, or about one-third of the population, have tried marijuana at some time during their lifetime, current marijuana use has declined steadily and significantly in recent years. In 1991 there were just under 10 million current users, the lowest number since 1972, when data were first collected.
- o Over the last few years, a decrease in foreign-source marijuana has reduced overall market availability. For 1991, domestic and foreign-source marijuana available in the U.S. is estimated at about 20,000 metric tons, down almost 20 percent from the 1990 estimate (1991 NNICC). This decrease, along with the growing popularity of the more potent and expensive domestic sinsemilla, has dramatically increased the price of marijuana.
- o The NNICC estimates that between 4,000 and 5,000 metric tons of cannabis were cultivated in the United States during 1991. Of this, approximately 2,400 metric tons, or some 5.3 million cultivated plants, were eradicated.
- o While the total number of outdoor plants eradicated in 1991 was down by almost 30 percent from 1990 to 1991, several key indicators of program effectiveness show our efforts against marijuana cultivation, especially outdoor cultivation, are more effective.

The number of arrests rose by more than 70 percent, the number of indoor growing operations seized also rose by 70 percent, and the total value of assets seized increased more than 35 percent. In addition, more than

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40 percent of the eradicated plants were of the sinsemilla variety.

- o One important measure of the availability of marijuana is price, both wholesale and retail. The following chart details price changes for commercial-grade cannabis (source, 1991 NNICC):

AVERAGE PRICE OF COMMERCIAL-GRADE CANNABIS				
	1988	1989	1990	1991
Wholesale (per pound)	\$1,060	\$1,175	\$1,625	\$1,700
Retail (per ounce)	\$140	\$140	\$115	\$295

- o Given that demand is decreasing, this increase in price would seem to indicate a shortage in the availability of marijuana. This is supported by reports from street-level enforcement operations and intelligence reports.
- o A number of Federal agencies participate in the domestic eradication of marijuana, especially on Federal lands. These agencies and their funding for eradication efforts are delineated in the attached table:

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FEDERAL DRUG CONTROL AGENCY SPENDING
ON MARIJUANA ERADICATION

(budget authority in millions)

AGENCY	FY89	FY90	FY91	FY92	FY93	FY94
DEA	\$ 3.8	\$ 3.8	\$13.8	\$13.8	\$10.0 ¹	\$10.0 ¹
Forest Service	\$ 5.2	\$ 5.6	\$ 9.7	\$ 9.4	\$ 9.5	\$ 9.6
Interior:						
Bureau of Land Mgmt	\$ 1.3	\$ 5.0	\$ 5.0	\$ 7.5	\$ 7.5	\$ 4.0
N'tl Park Service	\$ 0.2	\$ 0.4	\$ 0.5	\$ 0.7	\$ 0.9	\$ 0.9
Bureau Indian Affairs	\$ 1.0	\$ 1.3	\$ 1.4	\$ 1.4	\$ 1.3	\$1.4
Fish/Wildlife Srvc	\$ 0.2	\$ 0.3	\$ 1.0	\$ 1.0	\$ 0.8	\$ 0.8
Subtotal, Interior	\$ 2.7	\$ 7.0	\$ 7.9	\$10.6	\$10.5	\$ 7.1
BJA	\$ 2.4	\$ 4.6	\$ 4.6	\$ 3.5	\$ 4.3	\$ 4.3
National Guard	\$ 9.8	\$25.3	\$41.0	\$46.7	\$57.4	\$53.2
TOTAL	\$23.9	\$46.3	\$77.0	\$84.0	\$91.7	\$84.2

¹ Of the \$10.0 million appropriated to DEA for eradication, \$5.0 million was transferred to BJA to pay overtime related to local eradication efforts. This split applies to FYs 1993 and 1994. This table show the appropriated funds before the interagency transfer.

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FINCEN (FINANCIAL CRIMES ENFORCEMENT NETWORK)

QUESTION

What agencies are involved in FinCEN?

ANSWER

- o FinCEN provides a governmentwide, multi-source intelligence and analytical network to support law enforcement and regulatory agencies in the detection, investigation, and prosecution of money laundering and other financial crimes.
- o FinCEN brings together in one location the information and expertise possessed by various agencies involved in the investigation of financial crimes and the regulation of financial institutions. In addition to FinCEN's permanent staff of intelligence research specialists and automated data processing experts, criminal investigators and/or analysts are assigned from thirteen Federal departments and agencies: Customs, IRS, DEA, Secret Service, Treasury, FBI, Postal Inspection Service, BATF, Defense Criminal Investigative Service, U.S. Marshals Service, Federal Reserve Board, Resolution Trust Corporation, and Department of Defense.
- o FinCEN does not carry out investigations on its own, but assists other agencies. This support is principally provided through the coordination, collection, and analysis of financial crimes intelligence information.
- o Funding is provided by Treasury, supplemented by allocations from ONDCP's Special Forfeiture Fund, the HIDTA program, and some reimbursable funding.
- o FinCEN has established MOU's or other types of agreements relative to data base access with eleven Federal agencies. MOU negotiations are still ongoing with eight others. (List is attached.)

FINCEN currently has MOUs or other types of agreements relative to data base access with the following entities:

1. Postal Inspection Service
2. Interpol, US National Central Bureau
3. Department of Justice - OCDETF
4. US Customs Service
5. National Association of Securities Dealers (through SEC)
6. Bureau of Alcohol, Tobacco & Firearms
7. Drug Enforcement Administration
8. Marshals Service
9. Department of Agriculture, Economic Research Service
10. Federal Reserve Board
11. Immigration and Naturalization Service

MOU negotiations are still ongoing with the following agencies.

1. Secret Service--Agreement reached as to nature of access.
2. Bureau of Public Debt--Agreement reached as to nature of access.
3. Securities and Exchange Commission--MOU still being negotiated.
4. Department of Agriculture, Food & Nutrition Service--MOU negotiations stalled due to legal interpretation of non-disclosure provisions in legislation establishing Food Stamp program.
5. Department of Defense, Defense Investigative Service--MOU negotiations in process.
6. Internal Revenue Service (Criminal Investigation)--Negotiations regarding nature of access and wording of MOU are almost finalized.
7. Federal Bureau of Investigation--Original discussions centered around an MOU providing direct access by FINCEN. The FBI recently wrote FINCEN proposing an alternative means of access. FINCEN's response to latest FBI letter concerning MOU is being considered.
8. Department of State, Bureau of Consular Affairs--FINCEN has drafted a letter to the new appointee in an attempt to revive the MOU negotiation process.

As of May 10, 1993, FinCEN has a total of 199 employees on board. Following is a breakdown of representatives of each agency:

AGENCY	NUMBER OF EMPLOYEES
FinCEN	151
U.S. Customs Service	19
Internal Revenue Service	10
Treasury	4
FBI	3
Postal Inspection Service	2
Drug Enforcement Agency	2
Secret Service	2
Alcohol, Tobacco & Firearms	1
Defense Criminal Investigative Service	1
U.S. Marshals Service	1
Federal Reserve Board	1
Resolution Trust Corporation	1
Department of Defense	<u>1</u>
TOTAL	199

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VIOLENT GANGS

QUESTION

Are the FBI and the BATF working well together on this problem? Is there an overlap in responsibility? If so, what is the overlap? What are the statutory authorities under which the FBI and BATF operate?

ANSWER

- o Generally speaking, the field units of the FBI and BATF work well together in investigating and preparing cases for prosecution in Federal District Courts. In some cases, BATF and FBI have independently formed multi-agency task forces with State and local law enforcement. In others, FBI and BATF have joined together to form multi-agency task forces with State and local forces. One such successful joint task force was started right here in Washington, D.C. in November, 1991. This task force is led by the FBI, with significant participation by BATF and the Washington, D.C. Police Department.
- o There is some operational and jurisdictional overlap between these two Federal Bureaus. Sometimes this has led to frictions and tensions such as the recent Waco, Texas, incident. There have been, from time to time, suggestions that BATF, which started as a regulatory agency in the Department of Treasury, and gradually through the passage of various laws, became the operational bureau we know today, be transferred to the Department of Justice. There were rumblings to that effect just this past spring. However, I know of no active project between DOJ and DOT to look at a merger or transfer.
- o The FBI's jurisdiction over violent crimes derives from their general jurisdictional investigative responsibilities and their designated dual jurisdiction over drug crimes with the Drug Enforcement Administration. In 1989, the Director, FBI, initiated an effort to make crimes of violence a national FBI priority across all FBI programs. In late 1989, one of the first formal efforts was started in San Diego, where the FBI and the San Diego Police Department began a joint operation to target the most violent gang members who were involved in drug trafficking as part of their criminal activities. In 1991, the individual efforts of the FBI to combat violent crime were rolled into a national program called Operation Safe Streets.

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- o In January 1992, when it became apparent that the FBI would not require as many agents involved in the counterintelligence program against the former East Block countries, the Attorney General reprogrammed 300 FBI agents from counterintelligence work to Operation Safe Streets. Initially 39 FBI Field Divisions received these resources. Now there are approximately 90 separate task forces located in 49 Field Divisions.
- o The BATF uses the Federal firearms and explosives laws to combat gang-related violence associated with drug crimes. BATF's major national efforts began in 1987 against the Jamaican posses in an operation known as Rumpunch I. BATF began to focus on the Southern California Bloods and Crips gangs in 1989. Their first major organized effort against these gangs occurred in 1990 with Operation Streetsweep. However, BATF's involvement in violent crime could be considered to have begun against the Outlaw Motorcycle Organizations. In 1986, BATF began cohosting local and international conferences designed to share information about motorcycle gangs. Their first nationwide effort targeting these gangs took place between November 1988 and November 1990.

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FACT SHEET - FUNDING FOR COMMUNITY POLICING

- o The total 1994 budget for The Community Policing Program is \$50 million. This program is considered to be 25% -- or \$12.5 million -- drug related.
- o The Community Policing Program focuses on fighting crime by directing resources to the State and local levels for implementing community-policing techniques. State and local governments, as well as qualified community organizations, may apply for grants to create or supplement community-policing programs, which may include hiring new officers or redeploying existing officers. The program will require a 50 percent non-Federal match.
- o The long range goal of the program is to reduce violent crime by promoting cooperative efforts between police departments and a community; by placing more officers on the streets; and to prevent crime by employing proactive policing techniques.
- o Additionally, the Administration has proposed the Community Investment Program that requests \$125 million for community policing efforts.

	<u>FY 94 Total</u>	<u>Drug- Related</u>
Community Policing Program	\$50M	\$12.5M
Community Investment Program	\$1,013M	\$125.0M
		<u>\$137.5M</u>